

County, Ky., urging the speedy consideration and passage of Senate bill 476 and House bill 2562, providing for increased rate of pension to the men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

5990. By Mr. LEAVITT: Petition of Fred Hoge and other citizens of Geraldine, Mont., and vicinity, favoring increased rates of pension for veterans of the Spanish-American War and widows and orphans of veterans; to the Committee on Pensions.

5991. Also, petition of Pat Kelly and other citizens of Colstrip, Mont., and vicinity, favoring increased rates of pension for veterans of the war with Spain and widows and orphans of veterans; to the Committee on Pensions.

5992. By Mr. LINDSAY: Petition of Hon. George T. McQuade, New York, N. Y., on behalf of persons engaged in the steamship business, bespeaking thoughtful and friendly consideration of House bill 10292, providing for an amendment of the longshoremen's and harbor workers' compensation act; to the Committee on the Judiciary.

5993. By Mr. LUCE: Petition of residents of Boston and vicinity, indorsing the bill for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

5994. By Mrs. McCORMICK of Illinois: Petition of sundry citizens of the State of Illinois, urging the passage of pending legislation for the relief of Spanish-American War veterans; to the Committee on Pensions.

5995. Also, petition of sundry citizens of the city of Industry, Ill., urging the passage of House Joint Resolution 20; to the Committee on Immigration and Naturalization.

5996. By Mr. McFADDEN: Petition of citizens of Gibson and Susquehanna, Pa., urging Congress to bring to a vote the Civil War pension bill; to the Committee on Invalid Pensions.

5997. Also, petition of citizens of Sayre, Pa., urging Congress to act speedily on the Spanish War bills, H. R. 2562 and S. 476; to the Committee on Pensions.

5998. Also, petition of citizens of Thompson, Pa., urging Congress to secure early passage of Senate bill 476 and House bill 2562 to aid the Spanish War veterans; to the Committee on Pensions.

5999. Also, petition of citizens of Honesdale, petitioning Congress to act speedily on the Spanish War bills, H. R. 2562 and S. 476; to the Committee on Pensions.

6000. Also, petition of citizens of New Foundland, Pa., petitioning Congress to act speedily on the Spanish War bills, H. R. 2562 and S. 476; to the Committee on Pensions.

6001. Also, petition of citizens of Bushkill and Stroudsburg, Pa., urging Congress to support general pension bill for Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

6002. Also, petition of citizens of Meshoppen, Pa., urging Congress to act speedily on House bill 2562 and Senate bill 476, the Spanish War bills; to the Committee on Pensions.

6003. By Mr. MEAD: Petition of residents of Baltimore, favoring passage of House bill 2562; to the Committee on Pensions.

6004. By Mr. MILLER: Petition of residents of Seattle, Wash., indorsing House bill 8976 for relief of Indian war veterans and widows and minor orphan children of veterans; to the Committee on Pensions.

6005. By Mr. MOREHEAD: Petition of Hon. C. H. Dean, of 1309 Thirty-eighth Street, Lincoln, Nebr., and others, urging the passage of House bill 2562, granting an increase of pensions to Spanish-American War veterans; to the Committee on Pensions.

6006. By Mr. NIEDRINGHAUS: Petition of Frank Durrer and 41 other citizens of St. Louis, Mo., urging speedy consideration for Senate bill 476 and House bill 2562, providing for increased rates of pension to the men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

6007. By Mr. O'CONNELL of New York: Petition of the Izaak Walton League of America, favoring the passage of Senate bill 941, for the protection of the black bass; to the Committee on Interstate and Foreign Commerce.

6008. By Mr. PALMER: Petition of Charles R. Harkless and 26 leading citizens of Sedalia, Mo., praying for more favorable legislation for Spanish War veterans; to the Committee on Pensions.

6009. By Mr. ROMJUE: Petition of residents of Macon County, Mo., asking for the speedy passage of legislation providing for more liberal pensions to the men who served in the United States armed forces during the Spanish-American War; to the Committee on Pensions.

6010. By Mr. SEGER: Resolutions adopted at meeting of all religious denominations in Paterson, N. J., March 17, 1930, protesting against antireligious persecutions in Soviet Russia; to the Committee on Foreign Affairs.

6011. By Mr. SLOAN: Petition of Paul P. Platz and 16 others, supporting resale price bill, H. R. 11; to the Committee on Interstate and Foreign Commerce.

6012. By Mr. STONE: Petition of 212 residents of Cherokee, Okla., asking Congress to pass favorably on House bill 9233 to prescribe a certain prohibition oath; to the Committee on the Judiciary.

6013. Also, petition of 29 residents of the town of Guthrie, Okla., asking Congress to pass favorably on House bill 9233 to prescribe a certain oath on prohibition; to the Committee on the Judiciary.

6014. Also, petition of 40 residents of Carman, Okla., asking Congress to pass favorably on House bill 9233 to prescribe a certain prohibition oath; to the Committee on the Judiciary.

6015. Also, petition of 33 residents of Hobart, Okla., asking Congress to pass favorably on House bill 9233 to prescribe a certain prohibition oath; to the Committee on the Judiciary.

6016. Also, petition of 67 residents of Lamont, Okla., asking Congress to pass favorably on House bill 9233 to prescribe a certain prohibition oath; to the Committee on the Judiciary.

6017. Also, petition of United States deputy marshals, urging the passage of House bill 2968 granting a pension and back pay to former United States deputy marshals; to the Committee on the Judiciary.

6018. By Mr. SWING: Petition of L. C. Beardsley and 67 citizens of Pasadena, Calif., urging the adoption of the Box bill to restrict Mexican immigration; to the Committee on Immigration and Naturalization.

6019. Also, petition of E. L. Pryor and 58 citizens of San Bernardino, Calif., urging the passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

6020. Also, petition of 58 citizens of Hemet, Calif., urging the adoption of Senate bill 476 and House bill 2562; to the Committee on Pensions.

6021. Also, petition of 23 of the citizens of San Diego, Calif., urging the speedy passage of House bill 8976, for the relief of veterans and widows and minor orphan children of veterans of the Indian wars; to the Committee on Pensions.

6022. By Mr. WHITLEY: Petition of citizens of Monroe County, N. Y., urging passage of House bill 2562, for relief of veterans of the Spanish-American War; to the Committee on Pensions.

6023. By Mr. WOLFENDEN: Petition of West Chester (Pa.) Aerie, No. 1720, of the Fraternal Order of Eagles, praying for the passage of House bill 2562 and Senate bill 476, to increase pensions of Spanish War veterans; to the Committee on Pensions.

## SENATE

TUESDAY, *March 25, 1930*

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

Almighty God, by whose hand we are led, and whose Spirit in us giveth understanding, renew our minds with thoughts of spiritual refreshing borne on wings from the secret place of the Eternal, thoughts that visit only those whose hearts are purged with the constant breath of holy aspiration. Teach us to bestow our labor for that which is just and true, that in loftiness of purpose we may feel more keenly the wrongs that should be righted. Draw near us when the world oppresses, that the bondage of subjection may be loosed; abide with us when we walk with sorrow, that we may be chastened by her company.

Righteousness of God! Rise upon us like fresh ocean tides upon the strand, to our perpetual cleansing; control our wills, heal our inward obliquities, overcome in us the might of prejudice, and bind us with the cords of fellowship, that the glory of our high calling may be revealed. Through Jesus Christ our Lord. Amen.

### THE JOURNAL

The Chief Clerk proceeded to read the Journal of the legislative day of Monday, January 6, 1930, not heretofore approved, being for the calendar days of Friday, March 14, to Monday, March 24, 1930, inclusive, when, upon request of Mr. McNARY and by unanimous consent, the further reading was dispensed with and the Journal was approved.

### PETITIONS

Mr. SHORTRIDGE presented petition of members of the faculty and student body of Santa Ana College, of Santa Ana, Calif., and of the Y. M. C. A. of that college, praying for the entrance of the United States into the World Court, which was referred to the Committee on Foreign Relations.

He also presented a resolution adopted by the Oakland Forum of the California League of Women Voters, at Oakland, Calif.,

upholding the action of the President in signing the statute of the permanent court of international justice, with the protocol incorporating the so-called Root formula, which was referred to the Committee on Foreign Relations.

He also presented petitions of the Board of Supervisors of Orange County, and the Boards of Trustees of Santa Ana, Tustin, Huntington Beach, and Fullerton, all in the State of California, praying for the passage of legislation granting increased pensions to veterans of the war with Spain, which were ordered to lie on the table.

#### REPORTS OF NOMINATIONS

As in open executive session,

Mr. ROBINSON of Indiana, from the Committee on the Judiciary, reported the nomination of Randolph Bryant, of Texas, to be United States attorney, eastern district of Texas, which was placed on the Executive Calendar.

Mr. GOULD, from the Committee on Immigration, reported the nomination of Benjamin M. Day, of New York, to be commissioner of immigration at the port of New York, N. Y., which was placed on the Executive Calendar.

Mr. PHIPPS, from the Committee on Post Offices and Post Roads, reported sundry post-office nominations, which were placed on the Executive Calendar.

#### ANNIVERSARY OF SURRENDER OF LORD CORNWALLIS

Mr. BORAH. Mr. President, from the Committee on Foreign Relations I report back favorably the joint resolution (S. J. Res. 135) authorizing and requesting the President to extend to foreign governments and individuals an invitation to join the Government and people of the United States in the observance of the one hundred and fiftieth anniversary of the surrender of Lord Cornwallis at Yorktown, Va.

I invite the attention of the Senator from Virginia [Mr. SWANSON] to the joint resolution.

Mr. SWANSON. I ask unanimous consent for the immediate consideration of the joint resolution.

There being no objection, the joint resolution was considered as in Committee of the Whole and was read, as follows:

*Resolved, etc.,* That when, in the opinion of the President of the United States of America, it shall be appropriate for him to do so, the President be, and he is hereby, authorized and requested to extend to such governments and individuals as the President may determine an invitation to unite with the Government and people of the United States in a fit and appropriate observance of the one hundred and fiftieth anniversary of the surrender of Lord Cornwallis at Yorktown, and in order to carry out the purposes of this resolution the sum of \$25,000 is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the same, or so much thereof as may be necessary, to be expended under the direction of the Secretary of State.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### NEW HOUSE OFFICE BUILDING

Mr. JONES. Mr. President, from the Committee on Appropriations I report back favorably without amendment the bill (H. R. 11045) to increase the appropriation for the acquisition of a site for the new House Office Building. The bill has passed the House. It is purely a House matter. I ask unanimous consent for its immediate consideration.

There being no objection, the bill was considered as in Committee of the Whole and was read, as follows:

*Be it enacted, etc.,* That the appropriation "House Office Building," contained in the first deficiency act, fiscal year 1929, is hereby made available for the payment of not to exceed \$1,077,745.74 for the acquisition of such site, notwithstanding the limit of cost for site named in such appropriation and in section 1 of the act entitled "An act to provide for the acquisition of a site and the construction thereon of a fireproof office building or buildings for the House of Representatives," approved January 10, 1929.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PINE:

A bill (S. 4016) for the relief of the Creek Nation of Indians of Oklahoma, and for other purposes; to the Committee on Indian Affairs.

By Mr. GREENE:

A bill (S. 4017) to amend the act of May 29, 1923, pertaining to certain War Department contracts by repealing the

expiration date of that act; to the Committee on Military Affairs.

By Mr. NORRIS:

A bill (S. 4018) for the relief of the Lebanon Equity Exchange, of Lebanon, Nebr.; to the Committee on Claims.

By Mr. ROBINSON of Indiana:

A bill (S. 4019) granting compensation to Earl D. Cranor; to the Committee on Finance.

By Mr. ROBSION of Kentucky:

A bill (S. 4020) granting a pension to Christopher Lewis; to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 4021) granting a pension to Stephen Curran (with accompanying papers); to the Committee on Pensions.

A bill (S. 4022) to regulate the erection, hanging, placing, painting, display, and maintenance of outdoor signs and other forms of exterior advertising within the District of Columbia; to the Committee on the District of Columbia.

By Mr. McKELLAR:

A bill (S. 4024) providing for observance of traffic laws of countries by representatives from foreign governments; to the Committee on Foreign Relations.

A bill (S. 4025) granting an increase of pension to Robert Vaughn (with accompanying papers); to the Committee on Pensions.

By Mr. HAYDEN:

A bill (S. 4026) granting a pension to Calvin Emerson, alias Nois Nawlis or Lorenzo; to the Committee on Pensions.

By Mr. PINE:

A joint resolution (S. J. Res. 158) referring to the Court of Claims the claim of the Creek Nation of Indians for compensation for lands acquired from them by the United States in Georgia and Alabama, and for other purposes; to the Committee on Indian Affairs.

#### HERBERT PUTNAM COLLECTION OF INCUNABULA

By Mr. BINGHAM:

A bill (S. 4023) authorizing to be appropriated out of any money in the Treasury of the United States not otherwise appropriated, the sum of \$1,500,000 for the purchase of the collection of 3,000 incunabula, including the Gutenberg Bible on vellum, now owned by Dr. Otto H. F. Vollbehr, to be deposited in the Library of Congress and known as the Herbert Putnam Collection of Incunabula; to the Committee on the Library.

Mr. BINGHAM subsequently said: Mr. President, I this morning introduced a bill relating to the appropriation of money for the purchase of the great Vollbehr collection of books. This bill, although not exactly the same, is similar in intent and very nearly in wording to House bill 6147, introduced by Representative COLLINS, of Mississippi. I ask that there may be printed in the RECORD in this connection an article by Mr. E. Paul Saunders, describing the Vollbehr collection for the purpose of which it is hoped this appropriation may be made.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The article is as follows:

[The Compleat Collector. Rare books; first editions; fine typography. Conducted by Carl Purington Rollins and Gilbert M. Troxell. Now cheaply bought for thrice their weight in gold]

#### THE VOLLEBEHR COLLECTION

By E. Paul Saunders

There is now pending before Congress a bill (H. R. 6147), introduced by Representative COLLINS, of Mississippi, which would appropriate \$1,500,000 to purchase the Otto H. F. Vollbehr collection of 3,000 incunabula, or "cradle books"—so called because printed in the infancy of the "art preservative of arts." Under terms of this bill the collection would be acquired for the Nation and "be deposited in the Library of Congress and remain a part thereof, to be known as the Herbert Putnam Collection of Incunabula."

Congress should pass H. R. 6147 without dissenting vote, because among other rare works the Vollbehr group contains some 200 volumes which, being unique, could not be duplicated at any price. Foremost among them is the faultless copy of the three-volume Gutenberg Bible, printed upon vellum. Only three perfect vellum-printed copies of this masterpiece of masterpieces of typography are known to exist. The British Museum and the Bibliothèque Nationale own one each, but they are both two-volume copies. Hence the Vollbehr three-volume copy is verily sui generis, is in a class by itself, is rightly described as "the choicest book of Christendom." The fact that the collection includes one of the only three copies of the incomparable Gutenberg Bible—two of them, at that, in national libraries and therefore beyond reach of mere gold—and the prospect that these 3,000 rare volumes may go to our National Library has already quickened the pulse of millions of historians, bibliographers, bookmen, librarians, typographers, bookbinders,

antiquarians, philologists, art students, geologists, physicians, philosophers, lawyers, scientists, churchmen, anti-churchmen, book lovers, the literati, students, and citizens in general throughout the United States.

Congress should pass H. R. 6147 without dissenting vote, because this, the world's outstanding collection of incunabula in private hands, represents a cross section of the thought and culture of the people of the fifteenth century—the Renaissance, the period contemporaneous with the beginning of the Reformation, and with the discovery of America. Twenty volumes concern the great triumph of Columbus, out of a known total of 32. These include such extremely rare items as the *Historia Baetica*, printed at Basel in 1494 and containing the admiral's "discovery letter" of 1493, with woodcuts illustrating his first voyage; Sebastian Brant's *Ship of Fools*; *De Patientia*, by Baptista Mantuanus; and works by Coccius and Corvinus.

Congress should pass H. R. 6147 without dissenting vote because, centrally located in the Library of Congress, the "Herbert Putnam collection of incunabula" would be accessible to all scholars and types of students, who would no longer have to turn to foreign countries for most of their basic studies. The books have a value not as museum pieces alone but also as furnishing material not otherwise at hand for historical, literary, and technical research. They constitute a mine of source material that can not help but be of infinite value to American scholarship. It is no secret that about half the statements made in modern books are in error, since our writers generally do not go to original sources for the facts upon which they base deductions and statements. This is, of course, not always their fault. Not everyone engaged in research work is privileged to pursue his or her investigations abroad. And that our Library of Congress does not have even a paper-printed copy of the Gutenberg Bible is no serious reflection upon us up to this time. Only 7 of the 41 known paper copies have been brought to the United States within the past 30 years, and these have either been acquired by rich private collectors or been shelved in richly endowed university libraries.

Congress should pass H. R. 6147 without dissenting vote, because in the collection are 424 first editions and 300 early classics; because 450 of the 3,000 volumes are not mentioned in the standard bibliography of Hain; because 100 were printed between 1455 and 1470; because another 100 have not been described in any catalogue; and because the collection (it contains works on religion, astronomy, medicine, natural science, law, geography, cosmography, chess, cookery, history, matrimony, philosophy, customs, travel, bibliomania, temperance, military and naval science, etc., printed in English or Latin, in Greek, Hebrew, Italian, French, Chinese, Slavonic, German, or Spanish) is twice as large as any single American collection, except the Huntington, and equal in number to one-third of all the incunabula listed in the American census of 1919. Nearly 40 per cent of its titles are apparently not represented in America by a single copy.

Congress should pass H. R. 6147 without dissenting vote as a matter of downright conscience, a making up for past stinginess and shortsightedness toward, and neglect of, our National Library. Its haggling over acquisition of the famous Jefferson library and of Washington's public and private papers, and its failure to purchase the library of George Washington (bought in 1844 by Stevens, of London, but afterwards purchased by 70 patriotic citizens of Boston, Cambridge, and Salem, for the Boston Atheneum), the original manuscript of Washington's Farewell Address (sold to the Lenox Library in New York for \$2,300 on the same day, in 1850, that Congress finally—but too late—agreed to appropriate \$1,000 for its acquisition), the Hartley papers, rich in American history (turned down by Congress, but quickly purchased for the Leiter Library, a private collection in Washington, in 1860), and the famous library of George Bancroft, consisting of 14,606 books, 486 volumes of manuscripts, and 4,648 pamphlets, all bearing on American history and the Revolution (turned down by Congress, but gobbled up by the Lenox Library), are all shining examples of a most serious lack of foresight.

Congress has, however, from time to time purchased private collections, the largest being the historical library of Peter Force, also rich in American history and the Revolution. If, as claimed, such purchases are to its everlasting credit, passage of H. R. 6147 by Congress would likewise be creditable. Incidentally, it would be to its credit if it should take immediate steps to acquire for our National Library the 62 volumes of 20,000 records of the Headquarters Papers of the British Army in America, covering the entire period of the American Revolution and giving a day-to-day account of that struggle, purchased some time ago from the Royal Institution of Great Britain by Dr. A. S. W. Rosenbach, of Philadelphia, who now has them in his vault in New York. If Congress does not acquire these historical papers for the Library of Congress, it will be some consolation to know that they are sure to go, in their entirety, to some wealthy collector or city or university library, and remain, in any case, in this country. But here again is opportunity further to centralize our intellectual and historical wealth and heritage.

Congress should pass H. R. 6147 without dissenting vote, because some time ago Doctor Vollbehr valued his collection at \$3,000,000, with other qualified experts boosting the figure by as much as \$2,000,000 in their appraisals. Yet it is not a question of mere money, but one of

rarity and intrinsic importance of the individual volumes, and the fact that the collection could not be duplicated now or at any time in the future for any amount of money. It would be a reproach to our scholarship and culture not to take advantage of this opportunity, made possible through the unselfishness of Doctor Vollbehr, who has at all times, expressed a hope that the collection be kept together, and might find a permanent home within the convenient reach of great scholars and the merely curious. He has demonstrated his sincerity by refusing to sell the books individually at auction at prices which would total anywhere from two to five million.

Congress should pass H. R. 6147 without dissenting vote as a matter of national pride—pride in that, added to what we already have in the way of rare books (about 30,000 items, including about 1,600 incunabula, first editions, rare bindings, and some 10,000 early American pamphlets, manuscripts, and documents), acquisition of the Vollbehr collection would place the Library of Congress on an unquestionable parity with the national libraries of Europe, including particularly the famous British Museum and the Bibliothèque Nationale, at present the two leading libraries of the world.

Let us have parity in scholarship as well as in ships, in culture as well as in cruisers, in books as in battleships!

#### TEXAS ANTI-CHAIN ASSOCIATION

Mr. SHEPPARD. Mr. President, I present for publication in the RECORD a letter to me from the Texas Anti-Chain Association, by Barton Breden, its managing director.

There being no objection, the letter was referred to the Committee on the Judiciary, and was ordered to be printed in the RECORD, as follows:

To all members and friends of the movement to curb foreign chain-store aggression upon the independent merchants and business men of Texas, the following copy of a letter from the State headquarters of the Texas Anti-Chain Association to Senator SHEPPARD is given as a brief outline of the publicity plans:

AUSTIN, TEX., February 1, 1930.

HON. MORRIS SHEPPARD,

*United States Senator, Senate Chamber, Washington, D. C.*

MY DEAR SENATOR: You will in reading the following declaration of purpose understand the aims of the Texas Anti-Chain Association:

"The purpose of the Texas Anti-Chain Association is to encourage the independent merchant and the independent business man in every line of endeavor.

"To combat the economic menace of the foreign chain store and to promote the enactment of laws that will curb the growth and unfair trade practices of foreign chain organizations generally."

Foreign-owned chain stores and the many other forms of alien monopoly that have come uninvited to our State have long since realized that the independent business men would not stand forever idly by and submit to economic extinction, but would organize and fight shoulder to shoulder to repel the invaders. To delay or wreck any attempt of the independent to organize no effort has been spared. The very efficient servants of monopoly have worked so faithfully that we encounter the very pitiful spectacle of paid officials of civic organizations which were created and supported by the independent men afraid to clear themselves on the vital question as to whether or not Texas money should remain in Texas or whether the money spent in Texas should be sent to enlarge the already bulging money bags of foreign-owned corporations.

We can expect no support from local organizations of hyphenated membership, and the freedom of the press is already, unfortunately, in many cities of Texas a thing of the past. Advertising given in the newspapers by foreign chain monopoly combined with a spineless editorial policy that permits misleading propaganda sent out by the National Chain Stores' Association to enter newspaper columns has brought about the sad situation where newspapers are helping crush the very independent business enterprises that made the local people successful.

All through the history of the world writers, in speaking of the march of great armies, mentioned with decided contempt the camp followers, craven parasites, all who followed in the wake of courageous men who did the actual fighting. The parallel to-day is the foreign chain store. They were absent at the birth of Texas, absent during the days of struggle, but after the pioneer independent business men had successfully built up our cities they crept in armed with all the wiles of the trickster, and by dint of much greed and unfair trade practices have in many places settled down like leeches on the community. These alien commercial forces, brazen as they are, are truly afraid of one thing, and that is the force of public opinion from an awakened Texas. The buying public when educated to the fact that many purchases in a foreign-owned chain store weakens their home town, and if continued will wreck their own economic happiness will rebel against conditions that will reduce them to where they are mere vassals of money-made monopoly.

There are many effective ways of awakening Texas, and already this association has made an aggressive start. We are publishing the Anti-

Chain World, a militant paper exposing the menace of the foreign chain store, and filled with truthful accounts of the many unfair practices used to wipe out the independent men and mislead the public. The militant tone of the paper is to inflame public opinion, a direct appeal to the masses whom our well-experienced publicity staff know are often cold to conservative statements and the discussion of logical facts. A staff of capable speakers are conducting mass meetings in various parts of Texas, assisted by local business men and by prominent independent men from other cities, who will relate their experiences and voice their opinions. A thorough publicity campaign will be made before each meeting to insure capacity attendance.

The association will supply without cost, upon the request of any civic organization or group of business men, speakers who are intelligent to present the cause of the independent. Window display cards and various types of circular matter suitable for the independent merchant to distribute to his customer, and other forms of helpful publicity, will be supplied at cost or in many instances free. Advertising copy for use in the local paper along with mats or electros is also available gratis. A weekly news letter of interesting facts will be sent to hundreds of newspapers who are still able and willing to present the truth to their readers.

A carefully planned billboard campaign will be begun in the near future. Additional advertising methods will be employed. Many other forms of publicity will be employed and announced later. We will strive to be helpful in assisting the gentleman whom Texans have honored by electing him to make our laws in obtaining for them complete data on any legislation passed or pending in any part of the United States toward curbing foreign-owned chain stores. We will also investigate and publish the names of the people's representatives who are friendly toward independent business enterprise.

The personnel of the Anti-Chain Association is composed of salaried executives employed because of their excellence in their various capacities. The policies of our association will at all times be under the guidance of an advisory board of independent business men, each an outstanding personality in his respective line of endeavor. This work is made possible by contribution from public-spirited citizens and from the sale of memberships in this association. The disposition of all funds collected will at all times be under the supervision of the advisory board and the books of the organization will be opened to all members for their comment.

We are fighting the powerful forces of organized monopoly that threatens our very homes and imperils independent business enterprise, and to succeed we must have your whole-hearted support, both moral and financial, at once to preserve Texas for Texans of to-day and the Texans of generations yet to come.

TEXAS ANTI-CHAIN ASSOCIATION,  
By BARTON BREDEN,  
Managing Director.

#### THE SMITHSONIAN INSTITUTION

Mr. SWANSON. Mr. President, the Baltimore Sun is a very able paper and often contains very interesting and readable matter. Recently it published a summary of the record of the achievements of the Smithsonian Institution for the year 1929. As Congress controls and directs the institute I ask permission to have this article published in the RECORD.

There being no objection the article was ordered to be printed in the RECORD, as follows:

[From the Baltimore Sun, March 9, 1930]

SMITHSONIAN ENJOYS A SUCCESSFUL YEAR—VALUABLE ART COLLECTION ACQUIRED AND FIRST FOUR VOLUMES OF SCIENTIFIC SERIES PUBLISHED DURING 1929, SECRETARY OF INSTITUTION REPORTS

The acquisition of one of the finest private collections of art in America, the establishment of a new division of research on radiation and organisms, the publication of the first four volumes of the Smithsonian Scientific Series, and appropriations from Congress for a much-needed new building for the national zoo are some of the unusual events of the past year which have led Secretary Charles G. Abbot, of the Smithsonian Institution, to describe it as "gratifyingly and unexpectedly rich in progress." Doctor Abbot presented his report to the annual meeting of the Smithsonian Board of Regents recently.

The art collection presented to the Smithsonian for eventual exhibit in the National Gallery of Art is that of Mr. John Gellatly, of New York, and comprises paintings of American and European artists, specimens of jewelers' art, tapestries, furniture, and oriental art, valued at several millions of dollars. The collection will remain in the Heckscher Building in New York, where it is now housed, for four years, at the end of which time it is hoped that the National Gallery of Art will have a suitable building in which to exhibit it.

#### NEW DIVISION

The new research division, which is under Dr. F. S. Brackett, will investigate the growth of plants under rigidly controlled physical and chemical conditions, the control extending to soil, gases, temperature, humidity, and intensity and color of light. The pioneering work of the

Smithsonian Astrophysical Observatory during the last 40 years on solar radiation has developed a body of experience and a collection of delicate optical apparatus, which combined comprise a unique preparation for research on the relations of radiation to life. It is not too much to expect of the new division ultimately information of first importance on the factors affecting the growth of plants as well as of man and animals. Thanks to funds provided largely by the Research Corporation, of New York, the new division has a staff and equipment already at work.

Beside these and other unusual developments, the normal work of the institution and of the seven Government bureaus under its charge has gone ahead satisfactorily. The institution sent out or cooperated in 29 research expeditions during the year. The fields entered included China, Alaska, Canada, Labrador, Haiti, Cuba, Honduras, South America, various European countries, the Anglo-Egyptian Sudan, and the Philippines, besides 15 States of this country, and the sciences benefiting chiefly were anthropology, geology, biology, and astrophysics.

#### OTHER WORK

The National Museum, Bureau of American Ethnology, and the Astrophysical Observatory are the three principal research bureaus under the Smithsonian. All three shared in the extensive field work of the institution. Of the museum's staff, Dr. Paul Bartsch carried on an outstanding piece of field work on mollusks in Cuba; Dr. Ales Hrdlicka and Mr. Henry B. Collins, jr., both led anthropological expeditions to different regions of Alaska. The new chief of the Bureau of American Ethnology, Mr. Matthew W. Sterling, completed a survey of an interesting group of Indian mounds in the vicinity of Tampa Bay, Fla. In addition, Messrs. Harrington, Michelson, Hewitt, and Roberts carried on ethnological and archaeological investigations in many sections of the country.

The Astrophysical Observatory, through its three stations in Chile, California, and South Africa (the last operated in cooperation with the National Geographic Society) continued the exact measurement of the intensity of the sun's radiation. The Chile and California observations, having reached definitive status, now concur within narrow limits in their determination of the sun's variation. Further investigations also confirm previously noticed periodicities in solar variation of 11, 15, and 26 months. Doctor Abbot and Mr. Freeman carried on at Mount Wilson important observations on the infra-red solar spectrum, and Doctor Abbot observed the distribution of energy in the spectra of 18 stars and of the planets Mars and Jupiter.

#### MANY SPECIMENS

As a result of these expeditions and from other sources over half a million specimens were added to the study collections of the National Museum. Besides the work by the permanent staff and by visiting scientists on the study collections at the institution, the unspectacular day labor of the institution by which it adds constantly to the sum of the world's knowledge, some 30,000 specimens were given and exchanged to schools and other organizations, and an equal number loaned out for study.

In the field of scientific publication, the institution and its branches printed a total of 128 volumes and pamphlets. There were distributed 197,573 copies of Smithsonian publications to institutions and individuals all over the world, the technical volumes serving as tools to the great army of workers in science and the nontechnical papers, such as to the annual report contributing to the diffusion of scientific knowledge among nonspecialists.

#### OTHER PUBLICATIONS

Besides its regular publications which are distributed free or at cost, the institution has undertaken to write and edit a popular series of 12 volumes on scientific subjects which are being published and sold by a commercial firm. The purpose of this unusual enterprise is to increase the institution's funds for research and to add to the popular diffusion of scientific knowledge. The past year has seen the publication of the first four volumes, which have met with a favorable reception, and the sale of which has substantially contributed to available funds for research.

Another phase of the inconspicuous but basic work of the institution is that of the library, which has acquired 14,781 volumes, pamphlets, and charts during the year. These increase the usefulness of the library to scientists not only in the institution and city but throughout the country. The outstanding gift of the year was the Harriman Alaska Library, brought together by Dr. W. H. Dall and presented by Mrs. Edward H. Harriman.

#### EXCHANGE ACTIVE

The Nation's agency for the exchange of scientific and governmental publications with the world, the International Exchange, under the Smithsonian, handled 620,485 packages during the year, an increase of 78,262 over the previous year. These went to and came from 52 foreign countries.

The International Catalogue of Scientific Literature, which had to suspend publication in 1922, due to lack of funds, carried on during the year with a skeleton staff, keeping up a card index of current publications in science in the hope of eventual resumption of publication.

Rare additions in the shape of Persian, Egyptian, and Turkish manuscripts; Chinese, Japanese, Indian, and Persian paintings, as well as pottery, glass, and silver from the Far East, were made to the collections of the Freer Gallery. Archaeological work in China was carried on for the gallery by Dr. C. Li, who was given every assistance by the Chinese Government.

#### ADDITIONS TO ZOO

The National Zoological Park, which has for years maintained a splendid collection of wild animals with buildings long since condemned as inefficient and inadequate, has this year, thanks to congressional appropriations, seen the completion of a new bird house and the preparing of plans for a new reptile house. To insure the most efficient building obtainable for this new house, the Smithsonian spent some of its private funds to send Director Mann, of the Zoo, and the municipal architect to Europe last summer, to make a study of all the leading zoo buildings on that Continent.

With the ultimate realization of its program for a new small mammal house, a pachyderm house, and an antelope, buffalo, and wild-cattle house, the National Zoo will compare favorably with any in the country.

Accessions of new animals for the year have been fewer than losses and deaths, but in compensation the Zoo has never had so rare and interesting a collection. Outstanding among the rarities is the baby gorilla, N'gi, who, after a year in the Zoo, is still doing splendidly.

Visitors to the Zoo for the year exceeded two and a half millions, while visitors to the National Museum numbered 1,929,625.

#### THE TARIFF BILL

Mr. SMOOT. Mr. President, I desire to state to the Senate at this time that I have had sent to each Senator's office to-day a copy of the tariff bill as it passed the Senate, showing the amendments to the House text.

I want to take this occasion to extend my sincere thanks to the Legislative Counsel and to the Public Printer for the splendid work they have done in the preparation of the bill so that it could be presented to each Senator this morning in the way I have just stated. They worked all day Sunday and Sunday night to enable me to have this done. I desire to say further that from the beginning they have all done everything it was possible to do to hasten the presentation of information so that it could be placed in the hands of each Senator promptly.

Mr. HARRISON. Mr. President, I desire to ask the chairman of the Finance Committee, the Senator from Utah [Mr. SMOOT], a question. The last time we passed a tariff bill, and I think on previous occasions, following the conclusion of the consideration of tariff bills, the chairman of the Finance Committee asked that the record votes on each item be compiled. I was wondering if that is going to be done this time. I think it ought to be done.

Mr. SMOOT. That always includes the final vote on the disposition of the conference report. When that work is completed this time I shall have no objection to making the request. The Senator will remember, however, that it has always been done after the bill has been agreed to in conference.

Mr. HARRISON. I think it ought to be done after the conference report is disposed of, but when it is done the votes taken in Committee of the Whole, the votes taken in the Senate, and the votes taken on the conference report should be put under one heading so we can see how many and who voted differently on the various questions.

#### GREAT LAKES-ST. LAWRENCE WATERWAY

Mr. VANDENBERG. Mr. President, the Great Lakes-St. Lawrence Tidewater Association held its annual meeting in Detroit a few days ago. The junior Senator from Kansas [Mr. ALLEN] is president of that association. He delivered a very splendid address outlining the entire historic development of the project, bringing it down to date and indicating the optimistic possibilities for the future. I ask unanimous consent that the article containing his address may be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered. The address is as follows:

#### ADDRESS BY SENATOR ALLEN, OF KANSAS

This annual meeting occurs at the most hopeful moment the association has known in its 10 years of experience. Developments in Canada during the last two weeks indicate that it is entirely reasonable to expect the early appointment of commissioners on the part of the Dominion Government to work with United States commissioners on the necessary agreements that must precede the actual work on the St. Lawrence seaway.

#### SLOW, SURE PROGRESS

As we look back from this moment over the 10 years of continuous effort in which the associated States have so faithfully cooperated with the officers of the association, we are happy in the privilege to utter an

encouraging message. We have waited a long while for the necessarily slow-moving events to come to this point. Ten years have seen a steady growth, both of interest and knowledge, touching this project.

Those of us who recall the beginning days of our effort remember with amusement some of the arguments with which eastern seaports, both in the United States and Canada, sought to kill the enterprise. At that day they were not amusing. We all remember the first grave assurances we received that there was not any traffic, that there were not any ships for this traffic, and if there were they couldn't sail in these waters! We were solemnly assured that the engineering difficulties made the project unsound; we were called dreamers, and some eastern seaboard newspapers put it even stronger. New York was certain that the months of fog and ice would ruin the enterprise. One Buffalo editor thought it would be a bad thing to attempt to take grain from Chicago to Liverpool without transferring it from the Lake boats at Buffalo in order that it might cool, after which it could be sent on to New York and eventually across the ocean.

Much of the work of the association in its early days was devoted to the clarification of intelligence on the whole subject. Year by year the facts took on simple outline until to-day a repetition of the arguments of 10 years ago would make a volume of humor.

#### ACCOMPLISHMENT NEAR

It has been known by the friends of the association who have followed its work closely that the task to which the association set its hand 10 years ago is on the eve of accomplishment. In the United States a Congress in sympathy with the project, a President committed to it, now await only the official action of the Canadian Government to set the building of the project on its way.

Some of the members of our organization thought a year ago that we had finished our task and that the hour had come for cessation of our work. I have urged that that hour will not come until the treaty between the two countries has been signed, ratified by the Senate of the United States and by the Parliament of the Dominion, and the joint commission for the administration and construction of the project is ready to take over the work to which Director Charles P. Craig, the council of States, together with their friends in Canada, have devoted themselves with such constancy for 10 years.

At a moment like this it is natural for us to look back with remniscent pleasure on the efforts in Canada of many loyal friends of the movement. Sir Robert Borden, Prime Minister of the Dominion, who initiated the project in Canada; Sir Henry Drayton, Minister of Finance; the late Hon. Frank H. Keefer, member of Parliament and parliamentary undersecretary of external affairs; Senator W. L. McDougald; and many others who gave us from time to time such active encouragement and cooperation that it kept us from faltering at moments of discouragement. Nor can we forget the continuing courtesy and kindly interest which the Right Hon. W. L. Mackenzie King has manifested toward us during the many years of his association in this common interest between the two countries.

#### NOTABLE SUPPORT

In addition to the loyal support of 23 States and their governors during the 10 years we have had the great advantage of the friendly interest of Presidents Wilson, Harding, Coolidge, and Hoover, who himself accepted the chairmanship of the St. Lawrence Commission of the United States while serving in the Cabinet of President Coolidge.

I think that at this happy moment there is not a cloud in our sky. Even the delay which we have suffered in Canada has not seriously affected the progress of the project, since she has continued actively to build units of the channel which will be blended into the completed project. She has enlarged the Welland Canal until it becomes a dominant unit of the new waterway, now having sufficient width and depth to carry 85 per cent of all the cargo ships that sail all the seas of the world.

Canada has recently entered on construction of 65 miles of ship channel from the outlet of Lake Ontario to the cities of Prescott, Ontario, and Ogdensburg, N. Y. This unit will carry the project 250 miles nearer to tidewater. The permission to go ahead with that part of the channel lying within United States waters was granted by the United States Government to the Canadian Government this week.

In addition to this, the Canadian Government, through the Beauharnois Power Corporation, has provided adequately for navigation in Canadian waters in connection with a power project from Lake St. Francis to Lake St. Louis, which takes care of the rapids occurring between these two large lakes, thus providing for navigation through 60 miles of the Canadian water in this section. This leaves only 10 miles at the Lachine to complete Canada's share of the task.

#### CANADA PUSHES AHEAD

So that to-day, as we greet the probability of an early appointment by Canada of treaty commissioners, we also realize that when the joint commission of the two countries confronts its task it will find that Canada already has either completed or entered into negotiations for practically all of the work she needs to do, leaving to our attention the international rapids section of 48 miles and the deepening of the connecting channels of the upper lakes.

We hear now and then an echo of the all-American route. This, you will remember, was the proposal by New York interests to build a canal overland from Oswego to Albany to connect with the Hudson River. The calling of the proposed route an all-American affair was a misnomer from the beginning, since the most important unit of it was the Welland Canal, which was all Canadian. Nevertheless, it served the purpose of its promoters, to satisfy the New York mind.

Which reminds us that the commission of distinguished engineers which made an exhaustive report for the United States Government in 1900 on the best route for a ship canal across the State of New York added this to their report: "The St. Lawrence River remains now, as it always has been, 'the only natural route to the sea,' but obviously that would not be countenanced by the State of New York.

I note that recently former Governor Harding, of Iowa, once in the employ of this association, has joined the all-American promotion and is making addresses in an effort to revive interest in that project. Outside of the addition of Mr. Harding to their staff, no other change has occurred in that situation.

I have realized for many years the poignant interest in the St. Lawrence seaway of those who have struggled in this landlocked empire so long with their tragedy of transportation. I have been a part of that struggle, and I am happy to-day in the new prospect that confronts those who have waited so long for the sure prospect of relief.

#### IMPORTANT QUESTIONS

Two important questions for discussion to-day are:

First. Why has the United States not effected a treaty with Canada for the opening of the interior of the continent to the sea for ocean-going ships?

Second. When will the United States and Canada appoint commissioners to draft such treaty and where does the responsibility rest for delay?

I shall endeavor to set up the facts which will answer these questions as fully as they can be answered at present. Clearly, the responsibility for delay does not rest with the officers of your association nor with the administration at Washington.

Hasty judgments should not inspire us to destructive criticism. The magnitude of the project must be carefully considered. It took 20 years for the United States to decide on engineering plans and determine the economic facts in the Panama Canal.

It must be remembered that in our project there are two nations involved. This is an international project and must be worked out in cooperation with our neighbor, Canada.

#### CHANGES CAUSE DELAY

Changes of administration in each country have taken place and each time this has been a cause of definite and more or less prolonged delay.

It is now nine years since the Government of the day came into power in Canada and two years since Canada addressed to the United States her important note of January 31, 1928, assigning certain tasks to the United States and assuming certain tasks for Canada and proposing in a broad way a division of costs.

Canada offered to provide at her own cost, for the wholly Canadian section of a through deep waterway from the head of the Lakes to the sea. Her tasks would therefore include:

- (a) Completing the new Welland Ship Canal.
- (b) Improving that section of the river from where it ceases to form the boundary line between the two countries to Montreal Harbor.
- (c) From Montreal Harbor to the sea.

#### PART OF UNITED STATES

Canada further proposed that the United States provide and pay for all improvements in the international stretches of the river, which would involve—

- (a) A new 30-foot dock at the Soo.
- (b) Deepening to 27 feet the connecting channels of the upper Great Lakes—St. Mary's, St. Clair, and Detroit Rivers.
- (c) The international St. Lawrence section from Lake Ontario to the boundary at Cornwall, Ontario, and St. Regis, N. Y.

A conservative analysis of this correspondence shows the two Governments have reached an accord on the following:

- (a) The technical or physical feasibility of the project.
- (b) That it will be of great economic benefit to both countries.
- (c) On the division of the construction tasks.
- (d) On the principles of the division of costs.
- (e) On the depth of the waterway.
- (f) On the course of procedure required to solve the details of engineering problems.
- (g) On the principle of complete mutual respect for sovereign rights and prestige.
- (h) On the inclusion in the discussions of the Chicago diversion and other relevant Great Lakes problems.

The foregoing correspondence was the culmination of a long period of careful international preparation, conducted under the responsibility of administrations representing the different political parties in each country.

#### BACKED BY ENGINEERS

It consisted of two thorough investigations and reports by international boards of engineers—both reports were unanimous and affirmatively recommended the project. It received two years of economic study by the International Joint Commission during which that tribunal held 44 hearings in 16 States and 5 Provinces of Canada and its recommendation was unanimous, stating it to be "imperative" and an "economic necessity."

The Canadian Government later suggested it would appoint an advisory commission to examine the economics of the project, not from the international point but from the standpoint of Canadian interest alone. Premier King accordingly appointed the Canadian advisory committee. That committee reported unanimously and favorably.

At the same time President Coolidge appointed the St. Lawrence Commission of the United States, with Mr. Hoover as chairman and our executive director as executive secretary of the commission. That commission, over the signature of the new President, Mr. Hoover, recommended (in strongest terms) that it be undertaken:

"The construction of the shipway from the Great Lakes to the sea is imperative both for the relief and for the future development of a vast area in the interior of the continent. \* \* \* The shipway should be constructed on the St. Lawrence route provided suitable agreement can be made for its joint undertaking with the Dominion of Canada."

#### CAREFUL STUDY

Over the years which it has been under discussion it is well within the truth to say that the solution of no international problem in any region of the world has received more careful or responsible consideration.

Great progress has been made in international negotiations. The engineering facts have been determined and agreed to. That the seaway will be of great economic benefit to both countries is accepted by both Governments. The correspondence has brought us to agreement in principle, and, to a very large extent, agreement in detail. It only remains for the appointment of commissioners to formulate a convention or treaty appropriate to the subject.

So far had the correspondence brought the countries to an accord that Secretary of State Kellogg, in his communication of March 12, 1928, stated:

"I have the honor to suggest therefore that the two countries proceed to the appointment of commissioners to discuss jointly the problems presented in your note, and those which I have presented herein, with a view to the formulation of a convention appropriate to the subject."

#### REASONS FOR DELAY

The Canadian Government, in its reply of April 5, 1928, called attention to two reasons for delay:

"Definite and agreed engineering proposals for the development of this (international rapids) section would appear to be a necessary preliminary to any computation of costs or decision as to the order of construction or division of tasks. His Majesty's Government of Canada has previously referred to the view of the national advisory committee which it shares, that a conference should be held between the Canadian section of the joint board and engineers representing the Province of Ontario.

"Reference was made in my previous note to certain constitutional questions affecting the Canadian situation, and to the intention of His Majesty's Government in Canada, in accordance with the wishes of the governments of Ontario and Quebec, to seek a solution by reference to the courts. Steps have since been taken to this end.

"With the constitutional question in process of solution, His Majesty's Government in Canada would be in a position \* \* \* to consult with the Provinces of Ontario and Quebec on the aspects of problems with which they may be concerned. While the acceptance by the United States of this basis of negotiation is attended with important qualifications, yet the position of the Government of the United States has been made sufficiently clear and definite to permit the Government of Canada to take the necessary step thus contemplated and discuss with the Provinces the aspects in question. Following this consultation, His Majesty's Government in Canada will be in a position to inform the Government of the United States further of its views on the proposals contained in your note of March 12."

In closing its note of April 5, 1928, the Canadian Government states:

"While the acceptance by the United States of this basis of negotiation is attended with important qualifications, yet the position of the Government of the United States has been made sufficiently clear and definite to permit the Government of Canada to take the necessary step thus contemplated. \* \* \* Following this consultation His Majesty's Government in Canada will be in a position to inform the Government of the United States further of its views in the proposals contained in your note of March 12."

#### UNITED STATES IS READY

That was 23 months ago. The United States has since been waiting, ready, willing, and anxious to proceed to the appointment of commissioners.

It is important to inquire what progress has been made by the Ottawa Government in composing the two domestic difficulties necessary to be solved before proceeding to the appointment of treaty commissioners; first, what progress in coordinating engineering views; and, second, what progress has been made in composing the constitutional question with the Provinces of Ontario and Quebec respecting rights to the water and potential power in the St. Lawrence River.

With regard to the former, it is announced that all engineering differences between the Canadian section of the joint board of engineers and the engineers of the hydroelectric commission have been settled and that such agreement signed by all parties is in the hands of the Prime Minister.

It remains now to submit any changes to the United States section of the joint board for approval or modification and approval. It is reported a meeting of the joint board for this purpose will take place very shortly.

#### MANY CONFERENCES

With regard to composing the constitutional rights to the water, there have been various conferences between the premiers of the two Provinces and the Prime Minister of the Dominion, the last one occurring on last March 8 at Ottawa, at which it is reported "that this constitutional difficulty discussed in the Canadian note of March 12, 1928, is ironed out, and there can now be no great delay" in the appointment of treaty commissioners.

These two provisos out of the way it leaves the Canadian Government committed to the prompt reopening of negotiations with the United States for the appointment of treaty commissioners.

I submit very definite progress has been made in diplomatic or international approach, and we may now confidently rely upon Canada presently opening negotiations for the appointment of commissioners.

Progress has not been confined to diplomatic channels. There has been marked physical accomplishment in the way of a through seaway from the Great Lakes to the ocean.

#### PRESENT PROBLEM

Remembering that we now have a through all-water transportation route from the head of the Great Lakes to the sea, but divided into sections having four different depths of channel—21 feet, 27 feet, 14 feet, 30 feet, respectively—the problem is to standardize the channels at the most economic depth. This has been determined by the engineers and fixed by both Governments at 27 feet, with 30 feet of water over the sills of the locks to provide for an ultimate depth of 30 feet in the channels.

Let us examine in detail the important Canadian note of January 31, 1928, in which she assigned all tasks in international waters to the United States, and assumed for herself all tasks in Canadian waters. For clarity of discussion, we will apply these tasks to the various sections—six in number—into which the joint board of engineers divided the through route.

Section 1. International waters—United States task—from Lake Superior to the Lake Erie entrance of the Welland Ship Canal—986 miles long, 21-foot channel, with a bill in Congress to deepen it to 25 feet, at a cost of \$30,000,000, which deepening is for the accommodation of existing traffic, irrespective of the seaway, with only 2 additional feet, and a new lock at the Soo, completes approximately 1,000 miles of our seaway. This was suggested by Canada as our task, and we have in the correspondence accepted it.

Section 2. The new Welland Ship Canal—Canadian task. The new Welland Ship Canal will be formally opened for service in July next, with 27-foot channels in the reaches and 30 feet of water over the sills in the locks. This task Canada assumed in her note and has about completed the work.

#### ANOTHER UNITED STATES TASK

Section 3. International waters—Thousand Islands section: United States task. This stretch of 65 miles, extending from Lake Ontario to Ogdensburg-Prescott, Canada suggested as our task, and we accepted responsibility for the improvement, but Canada is herself now at work deepening these channels to 27 feet in accordance with the recommended plan of the Joint Board of Engineers, so that the lake fleet this summer will be able to pass into Lake Ontario and down the St. Lawrence 65 miles, giving lake vessels more than 250 miles additional radius of operation.

It is interesting to note that this week Congressman BERTRAND H. SNELL, of New York, chairman of the Rules Committee of the House, called on the President to state that he was interested in seeing the St. Lawrence improved. Congressman SNELL urged on the President that we offer to do the work in this section at the expense of the United States, giving it as his view that inasmuch as there was included in the omnibus rivers and harbors appropriation bill to be reported to the House shortly the provision for a 22-foot channel in the Thousand Islands section, it is his opinion that a deeper channel should be provided to take care of future commerce.

#### RAPIDS SECTION

Section 4. International waters—International Rapids section: United States task. This is the only section requiring a treaty. Canada has

suggested it as our task, and we have in our correspondence accepted it, and it is with this section that those charged with drafting a treaty will have most to do.

Section 5. Canadian waters—Canadian task—from the international boundary to Montreal: The Canadian Government, through approving the plans of the Beauharnois Light, Heat & Power Co., has provided for a navigation channel around the Coteau, Cedars, Split Rock, and Cascade Rapids between Lakes St. Francis and St. Louis, and has carefully guarded navigation, including due respect for the rights of the United States under the treaty of 1870.

There remains in this section No. 5 the Lachine Rapids, just above Montreal Harbor—a Canadian task—for which provision is not yet made, but we are reliably informed plans are under way to care for this in the same manner as the rapids between Lakes Francis and St. Louis hereinbefore mentioned.

Section 6. Canadian waters: Montreal to the sea. This is a Canadian task and it is already completed.

#### CANADA GOING AHEAD

Summarizing, it may be said with reasonable accuracy that of the tasks Canada undertook to perform, they are either nearing completion or provision is already made or about to be made for them, and a part of the task assigned to the United States and accepted by it is actually in progress by the Canadian Government. Broadly speaking, there remain only the deepening by the United States of the upper lake channels 2 additional feet beyond the project now before Congress, and the improvement by the United States, under a treaty with Canada, of the 48 miles of International Rapids section.

With the next step in diplomacy, the appointment of treaty commissioners, and with unfinished physical tasks remaining to be done reduced to narrow compass, and so far as Canada is concerned an inconsiderable outlay compared to what she has already spent in that direction, it becomes interesting to note what will be required in the way of expenditure by the United States to perform its task as proposed by the Canadian Government.

It consists of the deepening of the connecting channels of the upper Great Lakes and the construction of a new lock at the Soo to correspond in dimensions to the new Welland Locks. These, the engineers say, will cost \$65,100,000, and the United States has consented to assume that. By items in the rivers and harbors bill now before Congress, half of this expenditure would be made—irrespective of the St. Lawrence improvement—to accommodate lake traffic alone. In the international St. Lawrence the engineers say the cost for navigation alone would be \$22,500,000, and for a dam or dams across the river—an investment for the benefit of power and navigation—the cost would be \$106,600,000, or a total in the international section of the St. Lawrence of \$129,000,000.

#### POWER USERS TO PAY

This would make available 2,400,000 horsepower of electric energy—one half of which would belong to Canada, the other to the United States—and unquestionably, as the diplomatic notes disclose, the users of power would be called on to pay their fair share of that cost; so that in making a rough but safe estimate I will follow the statement of the President of the United States in his address recently at Louisville, Ky., by saying that the net "cost of navigation to the United States need not exceed \$100,000,000." This is an inconsiderable sum measured by the benefits that will accrue from the establishment of a maritime base for rate making in the heart of the continent and unlocking the treasuries of that vast area represented by 1,605,101 square miles, with a population of 54,352,081 and wealth valued at \$177,582,000,000.

Progress has been made of a definite, important, and far-reaching character, both diplomatically and physically, and credit for this progress rests very largely with the accurate, conservative, and diplomatic work performed by this association.

There has not come to my attention an organization of such potential power as this association of States, but yet so delicately organized that a slight error in judgment would destroy its usefulness—no organization where so much caution is required or responsibility of statement demanded; responsibility to the conflicting view within the member States to the administration in Washington for the exercise of good; in short, where so many negotiations have been imposed as in the task the Great Lakes-St. Lawrence Tidewater Association undertook and has carried almost to accomplishment without a misstep.

#### ANSWER TO CRITICS

To the critics of the work of the association, if there be any, I would say, "Turn and appraise the many opportunities for making serious mistakes which have been avoided and they will so far outweigh possible criticism as to make them appear of no consequence." A great and useful work has been done.

Has this association fulfilled the purpose for which it was organized? It has developed the economics of the seaway to a remarkable degree and so conservatively have been its findings that no major point made has ever been successfully attacked. It has succeeded in having two governments make repeated engineering and economic studies and has

secured the approval of both governments of the engineering plans and costs and agreed upon the economic importance of the project of both countries.

#### MUST CARRY ON

Certainly this association should "carry on" until there is a treaty ratified between the United States and Canada. Very likely it should continue until the Congress has passed enabling legislation which will admit of the work going forward. This in order that the project may not be pigeonholed here or sidetracked there—either in Washington or Ottawa—and valuable time be lost in starting the work.

There has been no criticism of the activities of our association in Washington. I know that its work is highly regarded both there and in Canada, and an association that can so conduct itself over so long a period in so delicate a task is an important agency to retain on the job until work is started.

I know the President of the United States has this project much at heart. I know his estimate of its value as a relief to mid-continent agriculture—that it is the longest single step that can be taken in the direction of improving the competitive position of that great industry and that he will, in so far as may properly be done, advance it to completion.

#### RESTORATION OF FRIGATE "CONSTITUTION"

Mr. JONES. Mr. President, the joint resolution (H. J. Res. 264) is a joint resolution making appropriation to complete the restoration of the old frigate *Constitution*. There was a law passed authorizing the appropriation. The people, especially the children, have contributed about \$600,000, which has been used in putting it in condition. It is not quite completed. I report back favorably from the Committee on Appropriations House Joint Resolution 264 and ask unanimous consent for its immediate consideration.

There being no objection, the joint resolution (H. J. Res. 264) making an appropriation to complete the restoration of the frigate *Constitution* was considered as in Committee of the Whole and was read, as follows:

*Resolved, etc.*, That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$300,000, to remain available until June 30, 1931, for completing the repair, equipment, and restoration of the frigate *Constitution*, as authorized by the act approved March 4, 1925 (43 Stat. L. 1278).

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### MONUMENT TO MAJ. GEN. WILLIAM CRAWFORD GORGAS

Mr. HEFLIN. Mr. President, I ask permission to call up the joint resolution (S. J. Res. 93) to provide for a monument to Maj. Gen. William Crawford Gorgas, late Surgeon General of the United States Army.

There being no objection, the joint resolution was considered as in Committee of the Whole and was read, as follows:

*Resolved, etc.*, That the Director of Public Buildings and Public Parks of the National Capital is authorized and directed to select a site on public grounds of the United States in the District of Columbia and to contract for the erection thereon, at a cost not to exceed \$50,000, of a monument to Maj. Gen. William Crawford Gorgas, late Surgeon General of the United States Army, commemorative of the services rendered by him to humanity. The site chosen and the design of such monument shall be approved by the National Commission of Fine Arts and the Joint Committee on the Library.

SEC. 2. There is hereby authorized to be appropriated the sum of \$50,000, or so much thereof as may be necessary, to carry out the provisions of this act.

Mr. FESS. Mr. President, a similar joint resolution passed in the last Congress.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### ALEXANDER LEGGE AND ALEXANDER HAMILTON

Mr. BORAH. Mr. President, I judge from a reading of this morning's paper that the chairman of the Farm Board, Mr. Legge, has taken a little time off from his arduous failures to tell us what he thinks about the debenture. It would be very satisfactory to the country if Mr. Legge would demonstrate his fitness to deal with the farm question before he undertakes to advise with reference to legislation. I would myself be happy to have him advise what would help the farmer.

I feel that I owe an apology to the memory of Alexander Hamilton in doing so, but I desire to place Mr. Legge's interview in the RECORD alongside of the statement of Hamilton with reference to a debenture.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

[From the Washington Post, March 25, 1930]

#### LEGGE THINKS DEBENTURE PROJECT IS IMPRACTICAL

Chairman Legge, of the Farm Board, expressed conviction yesterday that the export debenture proposed in the Senate tariff bill could not be made operative.

"It might work for a little while," he said, "but foreign importing countries undoubtedly would put up insurmountable barriers—perhaps to the extent of an embargo—against American produce on which the debentures were operative. They already have threatened such action in anticipation of an attempt by the United States to 'dump' wheat."

[From the CONGRESSIONAL RECORD, June 10, 1929]

#### SENATE PROCEEDINGS

Mr. BORAH, in addressing the Senate on the farm problem, said:

"Speaking of bounties, Mr. Hamilton says:

"It can not escape notice that the duty upon the importation of an article can not otherwise aid the domestic production of it than by giving the latter greater advantages in the home market. It can have no influence upon the advantageous sale of the article produced in foreign markets—no tendency, therefore, to promote its exportation. \* \* \* As often as a duty upon a foreign article makes an addition to its price it causes an extra expense to the community for the benefit of the domestic manufacturer. A bounty does no more. But it is to the interest of society in each case to submit to the temporary expense—which is more than compensated by an increase of industry and wealth, by an augmentation of resources and independence, and by the circumstance of eventual cheapness."

Mr. BORAH, continuing, said:

"I plead with you to include, as Mr. Hamilton did, the agricultural interests of the United States as well as the industries. There is no more reason for refusing the farmer the advantage which he would have by a bounty, because, perchance, it foregoes the collection of revenue, than there is to refuse the Steel Trust its protection and, at the same time that we do so, to forego the amount of revenue that we would have if we should put the matter upon a tariff-for-revenue basis.

"Let me ask these gentlemen who sit about me and are members of the Finance Committee, are they willing to bring a bill into the Senate, when we shall take it up later, that will put the industries of this country upon a tariff-for-revenue basis, upon a basis where we can collect a very much greater amount of revenue, and then let the industries take care of themselves? If we take away the Government protection, the Government favor, they tell us that they will go into bankruptcy. Then, if we keep it there, we are giving them a bounty to keep them in business, are we not? Will you not do the same for the farmer?"

Mr. Hamilton says:

"Bounties are sometimes not only the best but the only proper expedient for uniting the encouragement of a new object of agriculture with that of a new object of manufacture."

Again, he says:

"The true way to conciliate these two interests is to lay a duty on foreign manufactures of the material the growth of which is desired to be encouraged, and to apply the produce of that duty, by way of bounty, either upon the production of the material itself or upon its manufacture at home or upon both. In this disposition of the thing the manufacturer commences his enterprise under every advantage which is attainable as to quantity or price of the raw material, and the farmer, if the bounty be immediately to him, is enabled by it to enter into a successful competition with the foreign material."

Mr. Hamilton, as a part of his scheme for a protective tariff, realized that a protective tariff would elevate the cost of living; that it would increase the cost of production; and that those who had the advantage of it must share with those who did not have the advantage by giving them a bounty instead of a tariff."

#### INDUSTRIAL ALCOHOL IN THIRTEENTH PROHIBITION DISTRICT

Mr. ROBINSON of Indiana. Mr. President, I ask permission to print in the RECORD a brief summary of the accomplishments in controlling production, denaturation, warehousing, and use of industrial alcohol in the thirteenth prohibition district, comprising the States of Illinois, Iowa, and the eastern judicial district of Wisconsin, from September 1, 1925, to December 31, 1929.

There being no objection, the statement was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

BRIEF SUMMARY OF ACCOMPLISHMENTS IN CONTROLLING PRODUCTION, DENATURATION, WAREHOUSING, AND USE OF INDUSTRIAL ALCOHOL IN THE THIRTEENTH PROHIBITION DISTRICT, COMPRISING THE STATES OF ILLINOIS, IOWA, AND THE EASTERN JUDICIAL DISTRICT OF WISCONSIN, FROM SEPTEMBER 1, 1925, TO DECEMBER 31, 1929

The enforcement of the prohibition laws is recognized as one of the major problems with which the country is confronted at this time. In discussing ways and means for the enforcement of such laws many

citizens have in mind only illegal manufacture, possession, sale, and transportation of intoxicating liquor by what is commonly called "bootleggers" and the investigation, raiding, arrest, and prosecution of those apprehended in such illegal traffic in intoxicating liquor. Many of those interested in law enforcement lose sight of the fact that government supervision over the production, denaturation, warehousing, and use of industrial alcohol for scientific and industrial purposes is a major phase of law enforcement.

Congress in enacting a law to enforce the provisions of the eighteenth amendment specifically provided that industry should have an ample supply of alcohol and imposed upon Government officials the duty of placing the alcohol industry and industries using such alcohol upon the highest possible plane of scientific and commercial efficiency consistent with the interests of the Government.

From the effective date of prohibition to September 1, 1925, all matters relating to the issuance of permits, revocation proceedings, etc., were centralized in the Prohibition Unit of the Bureau of Internal Revenue, local prohibition directors having supervision over the investigation of all applicants for permits and the inspection and investigation of existing permits for the withdrawal and use of medicinal spirits and nonbeverage alcohol under Title II of the national prohibition act. Collectors of internal revenue, on the other hand, made investigations of applicants for permits to operate industrial-alcohol plants, denaturing plants, bonded warehouses, bonded dealers in specially denatured alcohol, as well as general bonded warehouses and concentration warehouses in which medicinal spirits were stored, and had supervision over all such plants and warehouses. On September 1, 1925, however, the reorganization and decentralization of the service transferred to the district administrators all functions formerly exercised by the directors, many functions previously exercised by the commissioner, and certain functions theretofore performed by the collectors of internal revenue, including the investigation of applications for permits of all classes under both Titles II and III of the act, the approval or disapproval thereof, and the issuance, renewal, or revocation of permits, as well as the making of investigations looking to criminal prosecutions and the assertion of civil liabilities. The administrators were given personnel, in the way of chemists, pharmacists, inspectors, attorneys, and clerks, necessary to carry on the work in the field under the plan of reorganization. Collectors of internal revenue continued to exercise supervision over industrial-alcohol plants, denaturing plants, industrial-alcohol bonded warehouses, and concentration warehouses for the storage of medicinal spirits, in some particulars exercising such functions jointly with the administrators, until April 1, 1927, when the Bureau of Prohibition was created by act of Congress and the administrator had sole control under the supervision of the commissioner.

Under the old system of referring all applications for permits to the Prohibition Unit in Washington the commissioner was at a disadvantage in many cases, in that he was not personally acquainted with the applicant and with local conditions and did not have an opportunity to interview the inspectors who made the investigation, and therefore had to be guided by written reports from the field in passing upon each case. Some were in doubt as to the wisdom of shifting the major responsibilities for administering the permissive features of the law from the bureau in Washington to the field, but the last four years have clearly demonstrated that it was a wise move and the accomplishments have been outstanding.

At the time of the reorganization in September, 1925, a large part of the illicit liquor on the market had its source in the diversion of permit alcohol, so that it was at once apparent that an amount of alcohol was available in excess of the legitimate requirements of the industries lawfully using same. To control this surplus alcohol was then the problem of the administrator. It had been found impractical and ineffective to center Federal efforts on the retail end of the trade, and it was also realized that the Government had power to and could properly reduce the surplus supply of alcohol to prevent diversion.

In conducting the affairs of the thirteenth district every effort has been made to carry out the policy of the commissioner, which meant service to legitimate business in the supplying of ample quantities of alcohol to the trades and industries by the granting of permits in those cases where the applicant made a proper showing as to his fitness for a permit and the requirements of his business. On the other hand, on September 1, 1925, at the time of the reorganization, it was found that there were numerous permittees not conducting their business in accordance with the law and regulations, which required investigation and citation for revocation of their permits. The latter has been an especially hard problem, due to the fact that many of these permittees had been in business for a number of years and were well entrenched. They were using many methods in covering up their illegal operation, thus making it very difficult to procure evidence to warrant revocation of permits before the undesirable parties could be removed from permit status.

The first step in controlling the alcohol situation was the revocation of these permits and the elimination of those industrial-alcohol plants, denaturing plants, and bonded warehouses, which were not conducting their business in accordance with the requirements of the law and

regulations, and whose product was being used for supplying the illegal beverage trade. In other words, the first step was to start at the source, with a view of decreasing the production of surplus alcohol, which was being diverted to illegal channels. Since September 1, 1925, seven industrial alcohol plants, with authorized yearly production of 26,615,000 proof gallons of alcohol have been eliminated by the disapproval, cancellation, and revocation of permits. It is apparent that some of these plants were organized solely for the diversion of alcohol, and it required almost two years of investigation and litigation in court to finally close them. Six industrial alcohol bonded warehouses, with yearly capacity of 24,543,000 proof gallons, have been eliminated through the disapproval, cancellation, or revocation of permits, as well as seven denaturing plants, with yearly capacity of 18,036,000 proof gallons of alcohol, eliminated in the same manner.

The production of alcohol in the district, by the closing of these plants and close supervision over the remainder operated, has been reduced from 27,519,305.76 proof gallons for the fiscal year ended June 30, 1926, to 3,502,844.44 proof gallons for the fiscal year ended June 30, 1929. Large quantities of alcohol have always been received into bonded warehouses in this district from other districts. These receipts were reduced from 18,498,312.94 proof gallons for the fiscal year ended June 30, 1926, to 12,704,145.56 proof gallons for the fiscal year ended June 30, 1929. This makes a net reduction of alcohol produced in the district and received from other districts from 46,017,618.70 proof gallons for the fiscal year ended June 30, 1926, to 16,206,990 proof gallons for the fiscal year ended June 30, 1929; in other words, a net reduction in the production and warehousing of approximately 30,000,000 gallons.

There has been a reduction in alcohol transferred to denaturing plants for denaturation from 39,556,821.68 proof gallons for the fiscal year ended June 30, 1926, to 10,696,957.71 proof gallons for the fiscal year ended June 30, 1929, or a net reduction of approximately 29,000,000 gallons. All this reduction has been effected without interfering with legitimate business, and there have been no complaints from that source.

All the figures shown above with respect to the production, warehousing, and denaturation of alcohol are expressed in proof gallons. All other amounts shown herein, however, with respect to alcohol whether it may be tax paid or denatured, are expressed in wine gallons. In way of explanation, it may be stated that "proof gallons" is the term used to express the relative strength of alcohol. A wine gallon is the standard measure of liquids, and one wine gallon of average strength alcohol is equal to about 1.90 proof gallons.

The work of closing all these plants was not easy. In a number of cases the corporations petitioned the United States district court for a review of the action of the administrator. In the case of the Chicago Grain Products Co., which was under investigation and litigation for almost two years, the action of the administrator was sustained by the district court and later by the circuit court of appeals. Another excellent decision was that of the Cragin Products Co., which was obtained after several months of litigation. The administrator was likewise sustained in his action in this case. The discretionary authority of the administrator was clearly defined in these cases, and that of the Chicago Grain Products Co. has been referred to in many cases of permit litigation throughout the country. The independent denaturing plants which were a source of much trouble were thereby closed and none exist in the district at this time.

There has also been a marked reduction in the withdrawal of specially denatured alcohol by manufacturers procuring same, ostensibly for use in the manufacture of barber supplies and toilet preparations. Diversion of alcohol from this source was for a number of years one of the most serious problems with which the department had been confronted. The records received from the collectors of internal revenue were in such form that at this time it is impossible to compute the aggregate authorized withdrawals of manufacturers using specially denatured alcohol on September 1, 1925. However, the authorized withdrawals of these concerns whose permits have since been revoked, disapproved, or canceled, aggregated 3,841,440 wine gallons annually. Therefore there has been a net reduction of that quantity in this respect. The number of these permits taken over from the collectors of internal revenue on September 1, 1925, by the administrator was 804; the number in force December 31, 1929, was 471, which does not include 7 whose applications for renewal of permit for the year 1930 were disapproved, and therefore ceased to exist at midnight on December 31, 1929. In order to accomplish this reduction constant investigation was required, and litigation in court often followed, and in a number of instances the administrator was reversed, but when he was finally sustained in his action by such decisions as the Abraham Cywan case, which has since become widely known and referred to, fewer companies appealed from the decision of the administrator to court for review of his action.

The best evidence to show that the diversion of alcohol withdrawn by permittees has been reduced to practically a minimum is the fact that out of 9,000 samples analyzed by chemists of this district during 1929, only 1 per cent showed liquor produced from recovered specially de-

natured alcohol, whereas 81 per cent showed liquor made from moonshine alcohol and moonshine spirits. Three-fourths of 1 per cent of all samples analyzed showed pure whisky; 9 per cent consisted of colored spirits, whisky flavored, ordinarily known as bootleg liquor; one-fourth of 1 per cent was Scotch whisky; 2 per cent consisted of good alcohol; and 6 per cent colored and uncolored spirits produced from good alcohol.

Analyses of these samples show that the majority of liquor seized in this district is made from moonshine alcohol and moonshine spirits, instead of from pure grain alcohol or specially denatured alcohol diverted from permittees or smuggled liquor, as the public is often led to believe.

Places known as "cover houses," through which permittees diverted large quantities of alcohol, formerly flourished in the city of Chicago, and at the close of 1925 analysis reports showed approximately 90 per cent of all liquor seized was made from specially denatured alcohol, as compared to 1 per cent at the present time. Thus, due to the revocation of the permits of so many of those violating the law, cover houses have gradually disappeared, and very little, if any, alcohol is diverted through these channels.

There has been wide publicity recently regarding the alcohol situation in Chicago and the indictment of a large number of permittees or former permittees withdrawing alcohol for use in the manufacture of toilet and barber supplies. Of the 31 corporations and 155 individuals indicted, only 6 hold permits at this time in this district. Of this number, five of the permits were issued by the collectors of internal revenue prior to September 1, 1925. Only one was issued by the present administrator and that was for 99 gallons of specially denatured alcohol per month.

The six now holding permits withdrew for the calendar year 1929, 12,979.1 gallons of specially denatured alcohol, 1,827.65 wine gallons of tax-paid alcohol, no wine, and 244 gallons of whisky, or a total of 15,050.55 gallons, whereas the annual allowance in their permits and the quantity to which they would have been entitled if they had desired to withdraw the entire quantity was 35,832 gallons of specially denatured alcohol, 9,253 wine gallons of tax-paid alcohol, 320 gallons of wine, and 640 gallons of whisky, or a total of 46,050 gallons, i. e., the alcohol and whisky actually obtained by these indicted permittees was less than one-third of what their basic permits allowed.

The total annual allowances of the other indicted corporations and individuals in this district, who had been put out of business by the administrator through the revocation of their permits prior to December 31, 1929, and before the above-mentioned indictment, aggregated 67,679 wine gallons of tax-paid alcohol, 5,600 gallons of wine, 29,704 gallons of whisky, and 522,420 gallons of specially denatured alcohol, or a total of 625,403 gallons. The permits representing this quantity of alcohol were all issued by the collector of internal revenue prior to September 1, 1925. Therefore the quantity withdrawn by the six permittees still in existence is small compared to the authorized withdrawals of those indicted whose illegal operations were discovered and stopped by the administrator.

The reduction in the withdrawal and use of specially denatured alcohol is remarkable when one stops to consider that the majority of the permits revoked were of the so-called barber-supply class, whereas at the same time there was a large increase in the use of specially denatured alcohol, formula No. 1, for industrial purposes, such as the manufacture of lacquers for use in the automobile industry. This is one of the formulas that chemists claim can not be recovered and beverage liquor obtained. The new permits issued during this period consist principally of those covering laboratories and industrial concerns for experimental purposes and were for small amounts.

Additional evidence to show that there is practically no diversion of permit alcohol in the Chicago district is that during the year 1929, 1,250 stills were seized, in 891 of which corn sugar was used, and 755,600 pounds of corn sugar found on hand seized. Seven hundred and thirty-two thousand three hundred gallons of alcohol and 6,677,000 gallons of mash, representing the use of 7,409,300 pounds of corn sugar, were also seized at these distilleries. These amounts represent only the current requirements of the illicit operations. No moonshiner will keep in stock a long-time supply of raw material. The seizure of the above quantities would, therefore, indicate the use of much more in a given time, and is further evidence that the bootleg liquor supply in this district originates from moonshine alcohol and moonshine spirits produced from corn sugar at moonshine distilleries.

Better control of the industrial alcohol situation has also been furthered from time to time through the revision by the bureau of specially denatured-alcohol formulas, confining manufacturers to the use of nonrecoverable formulas.

A check was recently made to determine the number of permittees withdrawing alcohol in excess of 100 wine gallons per annum, and it was found that only 307 of this number withdrew tax-paid alcohol in excess of this amount, 230 tax-free alcohol, and 286 specially denatured alcohol. It was also found that only 66 manufacturers withdrew tax-paid alcohol in excess of 1,000 gallons during the year 1929. It is therefore interesting to note that there are so few permittees withdrawing alcohol in excess of this quantity.

All manufacturers using whisky for the manufacture of so-called medicines, bitters, etc., have been eliminated in this district by revision of the regulations and by the revocation of permits.

Sacramental-wine withdrawals for the district have averaged approximately 5,000 gallons per month as compared to more than 100,000 gallons per month for the State of Illinois alone during the years 1922, 1923, and 1924.

There has been a reduction in the production of cereal beverages. The greatest number of plants operating at any one time since the beginning of prohibition in the States comprising the thirteenth district was in the year 1923, when 127 plants operated with a total yearly production of 23,282,560 gallons. In 1925, at the time of reorganization heretofore mentioned, there were 79 plants operating with a total yearly production of 30,151,585 gallons. For the fiscal year ended June 30, 1929, 33 plants operated and produced 21,296,705 gallons.

The brewery problem, in so far as permits are concerned, has been practically reduced to a minimum. Cereal-beverage plants are not now diverting high-powered beer in the manner in which they did in the past, due to the revocation of permits and the closing of a large number of these plants. However, there is still a serious problem in the production of wort.

The work of investigating applicants for permits and the inspection and investigation of existing permittees for violations of or compliance with the law and regulations has been conducted in an orderly manner by trained inspectors, pharmacists, chemists, and investigators, and in acting upon reported violations there has been the closest cooperation between the permissive and legal division of the office in proceedings leading to the revocation of permits. From September 1, 1925, to December 31, 1929, 22,918 inspections were made. This does not include the days and weeks of trailing of trucks and the constant watch, both day and night, for days at a time, of questionable permittees.

From September 1, 1925, to December 31, 1929, 14,536 permits were revoked, canceled, surrendered, or expired without renewal; 1,892 applications for new permits were disapproved because the applicants were found on investigation to be not qualified for permit privileges requested. On December 31, 1929, 22,170 permits of all classes were in effect.

In providing necessary quantities of alcohol for the trades and industries and the revocation of permits of violators of the law, the administrator has had the most hearty cooperation of a number of nationally known trade organizations, such as the National Association of Retail Druggists, American Medical Association, the National Beauty and Barber Supply Dealers' Association, the Industrial Alcohol Institute, and many others representing the professional and manufacturing interests throughout the country. It is believed that the alcohol industry at this time in this district is in better condition than it has been at any time since the beginning of prohibition, and that diversions have been greatly reduced.

Appended hereto are certain tables setting forth more particularly the activities covered in the foregoing report.

E. C. YELLOWLEY,  
Prohibition Administrator.

CHICAGO, ILL., March 20, 1930.

Quantities of alcohol produced, deposited in, and received into bonded warehouses of industrial-alcohol plants in the thirteenth prohibition district, and quantities transferred to denaturing plants for denaturation

	Produced and deposited in warehouses	Received into warehouses from other warehouses	Total	Transferred to denaturing plants for denaturation
Fiscal year ended—				
June 30, 1926.....	27,519,305.76	18,498,312.94	46,017,618.70	39,556,821.68
June 30, 1927.....	9,789,251.56	18,414,545.30	28,203,796.86	23,755,712.12
June 30, 1928.....	7,322,004.06	7,593,125.90	14,915,129.96	11,508,769.36
June 30, 1929.....	3,502,844.44	12,704,145.56	16,206,990.00	10,696,967.71
July 1 to Dec. 31, 1929..	2,035,260.60	6,350,698.22	8,385,958.82	7,601,344.78

From September 1, 1925, to February 1, 1928, the thirteenth district comprised the State of Illinois, with the exception of a few counties for a part of the time, the State of Indiana, and the eastern judicial district of Wisconsin. On that date Indiana was detached from the district and Iowa added.

The amounts shown are in proof gallons, which is the term used to express the relative strength of alcohol. A wine gallon is the standard measure of liquids, and 1 wine gallon of average strength alcohol is equal to about 1.90 proof gallons.

Due to the fact that the large majority of antifreeze alcohol for use in automobiles is denatured at the beginning of the winter months, the quantity denatured for the six months' period, July 1 to December 31, 1929, is approximately 4,000,000 gallons more than will be denatured during the next six months of the fiscal year ending June 30, 1930. There will be no increased production of denatured alcohol during this fiscal year.

Number of applications for new permits disapproved, number of permits revoked, canceled, surrendered, or expired from September 1, 1925, to December 31, 1929, and the number of permits in force on December 31, 1929

Class	Applications for new permits disapproved	Number revoked, canceled, surrendered, or expired	Number in force on Dec. 31, 1929
Wholesale agencies of manufacturers.....	7	17	10
Wholesale druggists.....	0	10	21
Concentration warehouses.....	0	8	3
Industrial alcohol plants.....	3	7	12
Industrial alcohol bonded warehouses.....	8	7	11
Denaturing plants.....	8	8	11
Bonded dealers in specially denatured alcohol.....	2	8	6
Cereal beverage plants.....	25	30	31
Manufacturers using tax-paid alcohol.....	197	2,121	2,691
Manufacturers using specially denatured alcohol.....	64	495	478
Sale of flavoring extracts.....	0	5	0
Hospitals using tax-paid alcohol.....	18	245	307
Institutions using tax-free alcohol.....	4	68	579
Physicians, dentists, and veterinarians.....	1,052	9,062	15,848
Retail druggists.....	498	2,285	2,090
Manufacturers of vinegar, cider, and yeast.....	3	38	27
Special process in vinegar manufacture.....	0	1	0
Transportation of intoxicating liquors.....	0	17	32
Importation and use.....	2	5	3
Importation and sale.....	0	0	1
Exportation.....	0	3	1
Wine for ritualistic purposes.....	0	5	5
Authorizing special acts such as disposal of stocks of liquor on hand.....	1	91	3
Total.....	1,892	14,536	22,170

COTTON PRICES

Mr. OVERMAN. Mr. President, I ask that the letter which I send to the desk may be read by the clerk. It relates to the cotton situation. As I said the other day about the Federal Farm Board, every time its members open their mouths cotton goes down in price.

The VICE PRESIDENT. Is there objection to the reading of the letter?

The Chair hears none, and the clerk will read, as requested.

The Chief Clerk read the letter, as follows:

LANDIS, N. C., March 24, 1930.

Hon. LEE S. OVERMAN,  
Washington, D. C.

DEAR SIR: Taking into consideration the effects of some of the recent happenings originating from Wall Street or the Farm Board which it has had on the price of cotton and general unsettling in business conditions in the cotton industry, we think there should be some radical legislation to curb the speculation if the speculator is the cause or keep the head of the Farm Board from talking too much if they are to blame. About the middle of February prospects were as good as we have ever had in the cotton-mill business. Everybody was satisfied with the price of cotton and yarn. Orders were being placed fully up to normal. The first thing we heard was the Farm Board broadcasting over the radio that the price of cotton and wheat was too high and would have to come down. This and other causes put cotton and wheat as low or lower than it has been in 15 years. Since that time it seems as if everybody has lost all faith in values. Numbers of them at this time are slow to place orders at all and others are very slow. We think if we had a law to compel the New York stock and cotton exchange to publish the long and short sales each day or the long and short contracts for cotton, or to stay in the bounds of the visible supply we think it would go a long way toward stabilizing the price of stocks and cotton and wheat.

As you know, when yarn is sold, cotton is bought against this contract. A fixed price. The market declines 3 to 4 cents per pound as it has recently. This makes the yarn buyer very sore, as very often he hasn't sold his goods yet, as they have to buy the yarn, make up their goods, and wait for the buyer. Very often the price is so low that a little fellow can not take in his order at all. Other times unscrupulous yarn buyers will take advantage of the situation and look for some trouble in the way of yarn not being perfect and will arbitrarily cancel his order, leaving the spinner with the high-priced cotton on his hands. We are confident that if the exchange was required to report the purchases and sales of stock each day the severe advance and decline would not have happened as last fall. Also the decline in cotton would not have happened. A little publicity on the position of the market should not be any more detrimental to the public at large than the amount of the stock of cotton and goods which is published weekly than this little publicity on the part of the speculative interest. We think it should be prohibitive for any man to sell on the stock or cotton exchange something he does not have nor never expects to deliver, or buy which he does not expect to take. We are confident that a little light on this situation would be a great regulating influence and would keep us from

having these excessive fluctuations which are bound to be detrimental in the long run.

If you doubt for one minute that anyone can buy 100 bales of cotton on margin and never intend to take it, you send your secretary out to one of the exchanges with a margin of about 20 points and see if he can not buy it. This looks to us like it ought to be a violation of the law. If you will just refer back to this past fall a year ago and see how cotton advanced above the 20-cent level until after the December position was out of the way and then went back to around 18 cents, where it has been for three years, and about the 1st of March this year cotton declined 4 cents per pound, with less carry-over than we have had for years, and it is now 1 1/2 to 2 cents above that low point, which shows to us conclusively that there is something illegally being done somewhere. We do not know whether it is Wall Street or the head of the Farm Board. You read all the reports and can judge for yourself. Let us know by return mail what you think of this needed legislation.

Yours very truly,

LINN-CORRIHER MILLS Co.,  
L. A. CORRIHER, Treasurer.

AGRICULTURAL APPROPRIATIONS

Mr. McNARY. Mr. President, I ask unanimous consent that the further business of the morning hour be dispensed with and that the Senate proceed to the consideration of the annual supply bill for the Department of Agriculture.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7491) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1931, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. McNARY. I ask unanimous consent that the formal reading of the bill may be dispensed with and that the bill may be read for amendment, the amendments of the committee to be first considered.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House had passed the bill (S. 3371) to amend section 88 of the Judicial Code, as amended.

The message also announced that the House had passed a bill (H. R. 10865) to authorize Brig. Gen. William S. Thayer, Auxiliary Officers' Reserve Corps, and Brig. Gen. William H. Welch, Auxiliary Officers' Reserve Corps, to accept the awards of the French Legion of Honor, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H. R. 8705. An act granting the consent of Congress to the State of Illinois to construct, maintain, and operate a bridge across the Rock River at or near Prophetstown, Ill.;

H. R. 8706. An act to legalize a bridge across the Pecatonica River at Freeport, Ill.;

H. R. 8970. An act granting the consent of Congress to the State of Illinois to construct a bridge across the Little Calumet River on Ashland Avenue near One hundred and thirty-fourth Street, in Cook County, State of Illinois;

H. R. 8971. An act granting the consent of Congress to the State of Illinois to widen, maintain, and operate the existing bridge across the Little Calumet River on Halsted Street near One hundred and forty-fifth Street, in Cook County, State of Illinois;

H. R. 8972. An act granting the consent of Congress to the State of Illinois to construct a bridge across the Little Calumet River on Ashland Avenue near One hundred and fortieth Street in Cook County, State of Illinois; and

H. R. 9979. An act making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1930, and prior fiscal years, to provide urgent supplemental appropriations for the fiscal years ending June 30, 1930, and June 30, 1931, and for other purposes.

HOUSE BILL REFERRED

The bill (H. R. 10865) to authorize Brig. Gen. William S. Thayer, Auxiliary Officers' Reserve Corps, and Brig. Gen. William H. Welch, Auxiliary Officers' Reserve Corps, to accept the awards of the French Legion of Honor, was read twice by its title and referred to the Committee on Military Affairs.

SALE OF FEDERAL FARM BOARD INFORMATION

Mr. FESS obtained the floor.

Mr. McKELLAR. Mr. President—

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Tennessee?

Mr. FESS. For what purpose?

Mr. McKELLAR. I desire to put a statement into the RECORD, but I wish to make just a word of explanation about it. The VICE PRESIDENT. Does the Senator from Ohio yield for that purpose?

Mr. FESS. I yield.

Mr. McKELLAR. The Senator from Idaho [Mr. BORAH] a while ago had something to say about what the chairman of the Federal Farm Board had said about the debenture. Here [exhibiting] is a new arrangement. It is an advertisement evidently of the Kiplinger Washington Agency, by which that agency is undertaking to sell to the public generally private and public and all other kinds of information concerning the Federal Farm Board. I am not going to trespass upon the time of the Senator from Ohio to read this advertisement, but it is a plain case of a private agency here undertaking to sell information about the Federal Farm Board that may affect any interest in the country. I call it to the attention of the Senate and ask Senators to read it in the RECORD to-morrow morning, because it certainly sheds very great light upon the methods employed in conducting the affairs of the Federal Farm Board.

Mr. CARAWAY. Mr. President—

The VICE PRESIDENT. Does the Senator from Tennessee yield to the Senator from Arkansas?

Mr. McKELLAR. I can not yield unless the Senator from Ohio [Mr. FESS], who has the floor, is willing for me to do so.

Mr. President, I ask unanimous consent that the two advertisements which I send to the desk may be inserted in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered. The advertisements are as follows:

[The Kiplinger Washington Agency, National Press Building, Washington, D. C., Washington correspondents for banks, business houses, and professional firms]

#### A WAY TO GET SPOT FARM BOARD INFORMATION

DEAR SIR: The proposition: That you join with a number of others who are already employing us to write them letters concerning the Farm Board, giving all the information we can get—explaining, interpreting, or projecting policies, giving the substance of matters which can be discussed orally with authorities but which can not be stated officially or by authority.

The cost: Twenty-five dollars for the next six months. This is your share of the total cost of operation as determined up to the present. It is based on our own expenses, plus a profit margin, divided by the number of clients who support the enterprise. When this number increases sufficiently to justify a reduction in the pro rata cost we shall give you a refund or credit. Thus you can get the immediate benefit of these letters, and also any future saving which may result from the participation of others.

The authority behind the letters: They are not indorsed by the Federal Farm Board either officially or unofficially or by implication. They represent a purely private reporting service, analytical and critical in spirit. The authority which the letters have gained is based solely on the degree of accuracy and insight into board policies which the letters themselves have shown in the past. The idea is to make them not merely intelligent and informative, but useful to you.

In whose interest are the letters written? All trade groups affected in any way by Farm Board policies. Actions taken on one commodity also indicate what may be done for another commodity, and the explanation and interpretation of this interrelation can be done best from Washington by our men, who are in touch with the board. Our job is to write solid information, explanation, and interpretation which can be used by private dealers, cooperatives, bankers, or anyone else.

Typical cross section of those who now receive the letters: Co-operative marketing associations in practically all lines; grain dealers, exchanges, commission houses, millers; dealers in cotton, livestock, fruits, and vegetables; elevators, warehouses, railroads, banks with agricultural lines of credit; manufacturers of fertilizers, agricultural implements, and other articles sold to farmers. Some State agricultural officials and colleges of agriculture get the letters.

Methods of getting the information: By direct contact with Farm Board members and personnel, all of whom understand that we are trying to help business organizations to become intelligent and informed on the board. In addition to the board we have a number of other sources—leaders in trades who deal with the board, farmers' organizations, Washington headquarters of business groups, etc. We do not disclose the sources of our information and we do not quote anyone. The information is the thing, not the names of the contacts.

The staff, our organization: We have several men working at the job of prying loose, rounding up, checking, analyzing, and getting interpretations of Farm Board actions and policies. These are members of the staff of the Kiplinger Washington Agency, which is an established

firm engaging exclusively in reporting Washington matters affecting business. The Farm Board letters represent one of a small family of specialized communications, others being the Kiplinger Washington letters, Kiplinger tax letters, and Kiplinger special reports.

Unique: No other Farm Board information and interpretation service is available. It is the immediate and pressing need for correspondence of this nature which has made us organize this system for your use. The letters are not published and you are pledged not to distribute the information outside your own organization.

Now is the important time for you to get these advices. There is plenty of uncertainty and anxiety in prospect for any period, but it will be greatest in the next six months, and we can help you to minimize it so far as your own business is concerned. These letters will serve as a sort of business insurance at low cost.

Frequency of letters: It was originally intended to write them once every two weeks, but this has not been enough. They will be sent at least this often, and probably at shorter intervals, as in the past. When important events justify, emergency letters will be sent.

Inquiries to us from you: We are glad to get them. Some we can answer out of our own knowledge of the board. Some we can answer after discussion with the board, without mentioning your name. (We and our contacts have a clear understanding on this point.) Some we may not be able to answer, inasmuch as all policies of the cooperatives are not controlled by the board in Washington. We can not act as agents or advocates in any board dealings, of course. Our sole function is to gather and disseminate information and interpretation.

Your dealings are confidential, and with us only. Other members of the group purchasing the letters have no dealings with you or each other. It is not a "membership proposition."

We do give you the names, however, of a few of the organizations now receiving these Farm Board letters, merely to suggest the character of the clientele.

You can get the next Farm Board letter, and all thereafter, by signing and returning to us the form on the back page of this folder. We shall also send you some official documents which you ought to have for reference.

Yours very truly,

THE KIPLINGER WASHINGTON AGENCY.  
S. A. COLTON.

P. S.—Comments from clients: Some have spoken of these letters as a great "public service." Maybe so, and we hope so, although our motive is primarily commercial. Comments in letters from our clients are such as these:

"Your letters are discreetly disclosive."

"We appreciate the entire lack of bias and passion in your letters."

"I must say that you have helped my firm a great deal already."

"Your entire letter was read at our board of directors meeting."

"I hope you can keep up your record of not permitting the board to pull the wool over your eyes and at the same time of not swallowing everything that the trade says about the board."

A few of the clients of the Kiplinger Farm Board letter:

International Milling Co.; Quaker Oats Co.; Salina Board of Trade; Davison Chemical Co.; California Dairies (Inc.); Kansas City Stockyards Co.; Beech-Nut Packing Co.; International Apple Association; Ohio Farm Bureau Corporation; Yakima Fruit Growers' Association; Carnation Co.; Atlantic & Pacific Tea Co.; California Pear Growers' Association; American Bakers' Association; Bank of Italy; First Trust Joint Stock Land Bank; Eastern States Farmers' Exchange; King Midas Mill Co.; Order Buyers' Association; Farmers National Grain Corporation; Lake Erie Provision Co.; North Pacific Cooperative Prune Exchange; Fraser-Smith Co. (Ltd.); Washington Co-op. Egg & Poultry Association; Sioux City Stockyards Co.; Michigan Mutual Millers Fire Insurance Co.; Minnesota Valley Canning Co.; International Elevator Co.; Wabasha Roller Mill Co.; Chicago Cold Storage Warehouse Co.; McCreary Creamery Co.; Hopkins, Dwight & Co.; George H. McFadden & Bros.; Lillenthal-Williams Co.; National Dairy Products Corporation; Skookum Packers' Association; Sioux City Livestock Exchange; National Food Brokers' Association; Pillsbury Flour Mills Co.; Millers National Federation; Central Cooperative Association; Sun Maid Raisin Growers' Association; E. A. Pierce & Co.; Oliver Farm Equipment Co.; Larabee Flour Mills Co.; American Seedless Raisin Co.; National Livestock Producers' Association; Tenney Co.; Deere & Co.; Seattle Grain Co.; California Peach & Fig Growers' Association; Bay State Milling Co.; American Fruit Growers (Inc.); Lincoln National Life Insurance Co.; Studley & Emery; Eastern Exchange Bank; Andrews Grain Co.; Merchants' Fertilizer & Phosphate Co.; George W. Clay & Co.; California Canning Peach Growers; Chatham Phenix National Bank & Trust Co.; Florida Citrus Growers' Clearing House; Rosenbaum Bros.; Chicago Producers' Commission Association; Southgate Produce Co.; Anderson Clayton & Fleming; Farmers' Live Stock Commission Co.; Northwestern Fruit Exchange; Leonard, Crosset & Riley (Inc.); The Milk Council (Inc.); Fremont Canning Co.; Southern Agricultural Chemical Co.; Cherry-Burrell Corporation; National Fruit Products Co. (Inc.); Rickert's Rice Mills (Inc.); Libby, McNeill & Libby.

Date \_\_\_\_\_

THE KIPLINGER WASHINGTON AGENCY,

1197 National Press Building, Washington, D. C.

GENTLEMEN: Please enroll the undersigned in your group to receive the Kiplinger Farm Board letters for six months, letters to be written at least biweekly and sometimes oftener, as developments warrant. Send bill for \$25.

Information in the letters will not be given out for publication or redistributed outside our own office.

Also send documents marked below:

Agricultural marketing act.  
 Capper-Volstead Act.  
 Legal Phases of Cooperative Marketing, report by Department of Agriculture, revised, 1929, essential for co-ops and those competing with co-ops.

Articles of incorporation for Farmers' National Grain Corporation.  
 Articles of incorporation for American Cotton Cooperative Association.

Articles of incorporation for National Wool Marketing Corporation.  
 Stenographic report of chamber of commerce round table, October 15, 1929, at Columbus, quizzing C. C. Teague, member of board, on future policies.

Report on legal phases of agricultural marketing act by George E. Farrand, former general counsel of board. (This is a private report; does not necessarily represent official board views.)

Our business is \_\_\_\_\_  
 We are particularly interested in \_\_\_\_\_

Yours very truly,

Name \_\_\_\_\_  
 Address \_\_\_\_\_

NOTE.—Feel free to write us more fully than this form allows if you have inquiries or suggestions on Farm Board policies as they affect you. In this way you can help us and we can help you.

THE KIPLINGER WASHINGTON AGENCY.

[The Kiplinger Farm Board letter—unofficial and unauthorized information and comment. Not for publication. Circulated privately among Kiplinger clients. The Kiplinger Washington Agency, National Press Building, Washington, D. C.]

(Letter No. 10)

WASHINGTON, Tuesday, March 18, 1930.

DEAR SIR: In previous letters we have tried to explain and interpret Farm Board and Washington thought to those outside Washington. In this letter we reverse the procedure and try to report sentiment outside Washington on board policies, because this is an essential part of the Farm Board picture. In our next letter we shall attempt to give Washington explanations, answers, and defenses, hoping thus to shed light both ways.

We have spent most of the past week outside Washington, talking to private dealers, managers of farmers' co-ops, bankers, agricultural editors, exchanges, etc. In this report we focus on Chicago, because it is the agricultural capital, and because both trade and co-op views are obtainable in cross section there.

CHICAGO, March 15, 1930.

Everyone seems bearish here (Chicago) on Farm Board, commodity markets, securities, and business conditions, but an odd thing is that there is very little actual worry. The feeling seems to be that business is in for a good "shakedown," and that it was merely postponed and allayed by the Hoover conferences, but not avoided, and that business will not get on its feet until fall. The feeling is not exactly gloomy, but rather fatalistic. It is more definite and widespread than we have been led to believe in Washington, and is expressed to us by commodity dealers, bankers, co-op leaders, publishers, men dealing directly with farmers, and others. There is more selling push than buying pull. There is more reluctance to tackle new building and improvement projects than has been reported to us in Washington.

Mr. Hoover is blamed for everything—the agricultural marketing act, Farm Board policies, tariff delay, propagandized prosperity "which has been pushed too far." There is sympathy for him, however; "he got a bad break." Derisive comments, loose talk, and near-libelous statements circulate regarding the Senate, and it is frequently said by Republicans here that "if things go on as they now are going, the Democrats will have a good chance in 1932."

Farm Board policies are characterized as the principal factor by which the Hoover administration will be judged. Most business men here seem to know the text of the agricultural marketing act backward and forward, and conversations often turn on numerous private legal opinions concerning the act and the board's policies under it. Men who are not directly affected by the act, but who think they may be later, are surprisingly familiar with the act and with board actions.

Chicago knows more details than Washington about the board. Information is available here on how loans to co-ops have been used, for

example. Future board policies, and the effect of each new action, especially on wheat are doped out. In Washington we get the theories, but here they understand the mechanics, on which they can make their own forecasts, which seem remarkably accurate on long range.

Regarding board personnel: Mr. Legge is highly esteemed. His job is called "impossible" for many reasons. "He will not be allowed to administer an uneconomic law in an economic way as he is anxious to do." "He may not be able to hold the board together." Rumors that Mr. Legge will resign soon are doubted here. "Alec Legge will not quit under fire." Hope is expressed that he won't. "Chances for actual farm relief from this act are best with Legge as chairman in the early years."

Chicago is waiting for Farm Board to fail or be forced to trim the scope of its program. Thinks it will fail on present lines. Those who have political sense hope it will not fail, for they recognize that some other form of farm relief will inevitably follow. There is a disposition to be sure that "permanent and solid farm relief is decades away, and no board nor political body can bring it about."

Wheat policy is the crux of most criticism here. The loan basis is regarded as a "colossal mistake based on a monumental error." "Succeeding mistakes could have been avoided with the help of an experienced grain man." It is being used to prove to other trades how sweeping the effects of the act can be, how "surely the Government is getting into all business," how "dangerous" are present tendencies. It is being pointed out to manufacturers that co-ops can use their own funds to finance group buying of supplies while co-ops's running expenses come from board loans.

"Business has been unduly worried. The grain trade has not been hurt so badly but has been squealing on principle. The farmer has not been helped. The Government will own all the wheat." What the board will do with it puzzles the traders. Mr. Legge's statement that it would be marketed during an off year seems to throw some light on intentions, but traders here are expecting a bumper wheat crop for 1930-31 and are alarmed for the board on the basis of present storage figures.

Storage is expected to be the board's biggest problem, and already is known to be worrisome. With the Stabilization Corporation committed to taking delivery on May wheat, many elevator operators are selling their holdings to the Government. The transaction is no more than an exchange of receipts, the wheat staying in the same elevators and the Government paying the carrying charge. Reason for these trades is that grain men are sure of making a profit on the storage costs while they can not be sure of profit from ordinary trading while the Farm Board is in the picture, apparently undecided what to do.

Practically everyone in the pit is trying to sell May, with the buyers scattered and small. Millers don't buy near months because the far months are so much cheaper. When operatives for the Stabilization Corporation make bids everyone seems to know it and stops selling. Price goes up a cent or two or three, the Stabilization Corporation buys, and the market then sags back to where it was. Traders chuckle and say, "Someone gets a little of his own money back in his pockets." This is not gossip; it actually happens; watch the tape for a few hours.

Comments: "Only an act of God will get the board out of this wheat mess." "Boosting May prices is playing into the hands of Canada, which will be able to unload to Europe while the United States holds the bag." "If the Farm Board doesn't let wheat alone so it can go down to 80 cents, where it belongs, it'll go to 60 cents, Farm Board or no Farm Board." (An exaggeration perhaps, but illustrative of the spirit.) After all these years of Washington talk against speculation, the Farm Board finds itself forced to buy futures to hold up the price. "No one can profit from present wheat policy, but the Government stands to lose millions."—These comments come from various sources, including even co-ops.

Regarding Government's marketing agency personnel there is much nasty talk. Common comment is that "the biggest public scandal the country has ever known will grow out of current Government wheat operations." "The old Armour crowd," publicly disciplined by commodity exchanges some years ago, is said to be controlling the Government's market operations in wheat. "Sharp practice" is the mildest term used. The \$10,000-fine, 10-year-imprisonment clause of the act is mentioned on every side. Bankers, more or less disinterested business men, and co-op leaders have heard and given credence to the stories. "Some Senator will hear, and will not be put off as NYE was."

It would surprise Washington to know how much sincere sympathy there is for Farm Board members here in Chicago. Everyone is wondering how vacancies will be filled, and vacancies are expected.

Perhaps the expectation that the board's wheat program will fall of its own weight is behind the changed attitude of the grain interests, from vitriolic attack to watchful waiting. "Let nature take its course." "Let the Government do the worrying." "If the board fails, we'll be rid of farm-relief talk." (Not true, of course.) "If the board succeeds, it will take many years."

The term "farm leader" is used derisively here. Farm leaders are not considered representative of prevailing farmer thought. "Your Washington farm leaders represent the chronic kickers in agriculture;

kickers in other industries are shut up by their fellows." "The farm leader is the 'pet peeve' of co-ops operating on this market."

Co-op attitude toward agricultural marketing act, as evident in Chicago conversations, does not seem to be as favorable as we have been led to believe in Washington. Here are some things said privately by men who have been in cooperative marketing work for years:

"Eventual success can be expected, but it will take at least 30 years of hard work by everyone interested in agriculture to put cooperative marketing on its feet. There is no use trying to fool ourselves about it."

"No act of Congress ever will bring farm relief. It must come from the farmer himself, and he objects to joining a co-op to get relief. His shortsighted claim is that it is a violation of his constitutional rights; he will farm as he pleases."

"The Farm Board has an almost hopeless task. If it is wise, it will devote its time and money to educating farmers. It is mistaken if it thinks it can bring about crop reduction in the near future."

"The big job right now in the effort of the board to hook up existing co-ops into central agencies is to overcome personalities. The big question in all these organization meetings is not what or how to do this or that, but who will get the jobs."

"Farmer boards of directors are not yet qualified to control the destinies of their own organizations. There should be some stiff qualifications for membership, to insure clear thinking and experienced judgment. Take (name deleted) for example. He has been a co-op manager for many years, personally responsible for the success of his organization. He is about to lose his job because a younger 'hornblower' has convinced the board of directors he can do the job better and more cheaply. Each new board of directors in a co-op must learn again the mistakes made by its predecessors. There is no continuity of judgment and action. The college-trained farmer is the only hope of cooperation—that's why we say it will succeed eventually."

Livestock situation is typical of foregoing co-op comments. The success of the board's plan for a national livestock marketing association is swinging in the balance, with approval of the plan by the farmers' union group expected to put it across.

What to do and how to do it was decided months ago; the question of who will get the jobs still is not answered. The Central Cooperative Association, of South St. Paul, dominated by Mr. Crandall, is said to be the "holdout." It is said that he has influenced the Farmers' Union group and is blamed more than any other one man for the delay. (We doubt if he deserves it all.)

Organization of the national livestock would be a signal victory for the board and Mr. Denman. Criticism of Mr. Denman reported in Washington is almost lacking here. Co-op comment is that he "leaned backward" to avoid pushing the interests of the National Livestock Producers' Association, of which he was once president.

Chicago opinion on cotton is that the Farm Board will "sink another fifty or sixty millions in cotton beginning around June 1." All are hoping that "the board will have learned enough from its wheat policy to keep it from getting its fingers burned again in cotton." "Every bale a Farm Board agency buys might just as well be loaded with dynamite."

Reports are that certain cotton co-ops have used Farm Board loans to pay off old debts. (They are named.) Acreage reduction is expected, primarily because of low prices now. Board propaganda is thought to be helpful, but the feeling is that the board has not yet made it completely clear to farmers that it will not attempt to hold up prices in the face of overproduction. Better grade cotton is considered the solution of the cotton-planter's problem.

The New York Exchange's 7-points-delivery contract is considered inequitable; Chicago cotton men hope New York will change it.

Preceding report on Chicago was made by Mr. O. S. Granducci, of our organization, not by outside correspondents. Bear in mind we are reporting, not expressing our own ideas. Your own comments on whether we have fairly reported will be welcomed. Next week's letter will revert to the usual Washington angle.

Yours very truly,

THE KIPLINGER WASHINGTON AGENCY,  
W. M. KIPLINGER.

#### CALLING OF THE ROLL

Mr. FESS. Mr. President, in view of the fact that it was understood we would proceed immediately with the consideration of the agricultural appropriation bill, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Caraway	Glass	Hatfield
Barkley	Connally	Glenn	Hawes
Bingham	Copeland	Goff	Hayden
Black	Couzens	Goldsborough	Hebert
Blaine	Dale	Gould	Heflin
Blease	Dill	Greene	Howell
Borah	Fess	Grundy	Johnson
Bratton	Frazier	Hale	Jones
Brookhart	George	Harris	Kean
Capper	Gillett	Harrison	Kendrick

Keyes	Oddie	Shortridge	Thomas, Okla.
La Follette	Overman	Simmons	Trammell
McCulloch	Phipps	Smith	Tydings
McKellar	Pine	Smoot	Vandenberg
McMaster	Ransdell	Steak	Wagner
McNary	Robinson, Ind.	Steiwer	Walcott
Moses	Robison, Ky.	Stephens	Walsh, Mass.
Norbeck	Schall	Sullivan	Waterman
Norris	Sheppard	Swanson	Watson
Nye	Shipstead	Thomas, Idaho	

Mr. McKELLAR. I wish to announce that my colleague the junior Senator from Tennessee [Mr. Brock] is necessarily detained from the Senate on account of illness.

Mr. SHEPPARD. The junior Senator from Utah [Mr. King] is necessarily detained from the Senate by illness. I will let this announcement stand for the day.

I also desire to announce the necessary absence of the Senator from Arkansas [Mr. Robinson] and the Senator from Pennsylvania [Mr. Reed], who are delegates from the United States to the London Naval Conference.

Mr. HARRISON. I wish to announce that the Senator from Montana [Mr. Wheeler] is detained because of attendance at a meeting of the Committee on Indian Affairs.

The VICE PRESIDENT. Seventy-nine Senators having answered to their names, a quorum is present.

#### FLOOD DAMAGE IN SOUTH CAROLINA

Mr. BLEASE. From the Committee on Post Offices and Post Roads I report back favorably, with an amendment, the bill (S. 3189) for the relief of the State of South Carolina for damage to and destruction of roads and bridges by floods in 1929, and I submit a report (No. 287) thereon.

Mr. President, I should like to say to the chairman of the Committee on Agriculture and Forestry that I have an amendment which I desire to offer to the agricultural appropriation bill. On the 6th of January last I gave notice that I would offer the amendment at the proper time. I want to offer it now and ask that it may be considered at the proper time, either now or later.

Mr. McNARY. Mr. President, I should first want to know whether it comes within the rule, and, secondly, I should rather go forward with the appropriation bill in the manner I have suggested and take up individual amendments later in the day. Will that suit the convenience of the Senator?

Mr. BLEASE. That will be all right if the Senator will yield to me for a moment in order that I may ask unanimous consent for the consideration of a bill which I have just reported and which is connected with the amendment I desire to offer. The bill reported by me has been before the Committee on Post Offices and Post Roads for quite a long time, but for some reason the report was delayed. In the report on the bill, which is unanimous, there is a letter from the Secretary of Agriculture indorsing it. I should like to ask for the immediate consideration of the bill, and then my amendment can come up at the proper time at the convenience of the chairman of the committee.

Mr. WATSON. What is the bill?

Mr. BLEASE. It is a bill, unanimously reported by the Committee on Post Offices and Post Roads, making an appropriation of some \$805,561 for the repair of damage to roads in my State. A report accompanies the bill.

Mr. McNARY. Mr. President—

Mr. BLEASE. It is a very short bill, and I ask that it may be considered now. It will take but a moment.

Mr. McNARY. Mr. President—

The VICE PRESIDENT. Does the Senator from South Carolina yield to the Senator from Oregon?

Mr. BLEASE. I yield.

Mr. McNARY. I want to follow a logical procedure. What the Senator from South Carolina now offers is not an amendment to the agricultural appropriation bill, as I understand, but it is a legislative bill which the Senator wants to have passed in order that he may offer it as an amendment to the bill.

Mr. BLEASE. That is right.

Mr. McNARY. In that case I am not going contrary to my first proposal. I should object to offering the amendment to this bill at this time, because I want to go through with the committee amendments first, and to treat all Senators alike; but as it is a legislative bill which the Senator now wants considered before we take up the agricultural bill—

Mr. BLEASE. It will take but a moment.

Mr. McNARY. I ask unanimous consent to lay aside the agricultural appropriation bill temporarily in order that the bill referred to by the Senator from South Carolina may be considered.

Mr. BLEASE. I appreciate the Senator's courtesy very much. I repeat the bill will take but a moment, and it has been unanimously reported.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3189) for the relief of the State of South Carolina for damage to and destruction of roads and bridges by floods in 1929, which had been reported from the Committee on Post Offices and Post Roads with an amendment, on page 1, line 5, after the words "sum of," to strike out "\$2,500,000" and insert "\$805,561," so as to make the bill read:

*Be it enacted, etc.,* That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$805,561 for the relief of the State of South Carolina, as a reimbursement or contribution in aid from the United States, induced by the extraordinary conditions of necessity and emergency resulting from the unusually serious financial loss to the State of South Carolina through the damage to or destruction of roads and bridges by floods in 1929, imposing a public charge against the property of the State beyond its reasonable capacity to bear. Such portion of the sum hereby authorized to be appropriated as will be available for future construction shall be expended by the State highway department, with the approval of the Secretary of Agriculture, for the restoration, including relocation, of roads and bridges of the Federal aid highway system so damaged or destroyed, in such manner as to give the largest measure of permanent relief, under rules and regulations to be prescribed by the Secretary of Agriculture. Any portion of the sum hereby authorized to be appropriated shall become available when the State of South Carolina shows to the satisfaction of the Secretary of Agriculture that it has, either before or after the approval of this act, actually expended, or made available for expenditure, for the restoration, including relocation, of roads and bridges so damaged or destroyed, a like sum from State funds. Nothing in this act shall be construed as an acknowledgment of any liability on the part of the United States in connection with the restoration of such roads and bridges: *Provided,* That out of any appropriations made for carrying out the provisions of this act, not to exceed 2½ per cent may be used by the Secretary of Agriculture to employ such assistants, clerks, and other persons in the city of Washington and elsewhere, to purchase supplies, material, equipment, and office fixtures, and to incur such travel and other expense as he may deem necessary for carrying out the purpose of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill as amended was ordered to be engrossed for a third reading, read the third time, and passed.

#### RADIO BROADCASTING—ADDRESS BY WILLIAM HARD

Mr. McNARY obtained the floor.

Mr. DILL. Mr. President—

The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from Washington?

Mr. DILL. I do not want to be yielded to. I want the floor for about three minutes.

Mr. McNARY. Very well.

Mr. DILL. Mr. President, last night Mr. William Hard, who recently returned from London, where he was the representative of the National Broadcasting Co., reporting the London Naval Conference, made an address over the broadcasting system in which he discussed the comparative use of the radio in England, France, and other European countries, and in the United States. It is one of the most informative and interesting statements I have ever heard. It is so informative that I want to put it in the Record, but before I do that I want to call attention to the last paragraph of the address, because it is such a striking proof of what results when radio is owned by the government as compared to when it is owned and operated by private initiative, as it is in the United States.

After discussing the conditions in England and France and Italy, and stating that none of the statesmen from other countries were heard in those countries, as contrasted with the fact that we heard them all in the United States, he says:

Such radio organizations and institutions, governmentally or quasi-governmentally managed, are unavoidably and necessarily extremely cautious in putting public personages on the air, particularly if those personages are foreigners or if, though native citizens, they are engaged politically in trying to put the controlling government out of office. The natural result—and I speak of it not in criticism but purely objectively—is that in most foreign countries the broadcasting on public topics by public men is reduced to a minimum. Over here it is a torrent. Over there it is a trickle. I point you to a paradox. American competitive private radio management, as at the London Naval Conference, puts governmental affairs and governmental spokesmen lavishly on the air. Foreign monopolistic governmental radio management, as at the London Naval Conference, is obliged to recoil from governmental affairs

and from governmental spokesmen and can not afford, through fear of political complications, to give them access to the air.

I quote that because, coming from a man of Mr. Hard's standing and ability and the experience he has just had, it is a striking statement, I think, as to the advantages of privately owned radio systems if they are properly regulated and properly managed under Government control, as we are trying to do in this country.

I ask unanimous consent to have this article printed entire at this point in the Record.

The VICE PRESIDENT. Without objection, it is so ordered. The matter referred to is as follows:

ADDRESS OF WILLIAM HARD MADE OVER THE NATIONAL BROADCASTING CO. SYSTEM ON MONDAY NIGHT, MARCH 24, FROM 7.45 TO 8 O'CLOCK P. M., EASTERN STANDARD TIME

Ladies and gentlemen, to-night I resume my weekly talks on public affairs from Washington. I got back to Washington from the London Naval Conference Saturday. I hardly feel competent to present to you to-night any observations on any of the numerous and complicated political developments here that have accumulated while the London Naval Conference has been conducting its protracted discussions. Besides my mind is still filled and my curiosity is still attracted, from an American point of view, by certain foreign circumstances which passed before my eyes in Britain, in the Netherlands, in France, in Germany, in Italy. To those circumstances, as seen in relation to American affairs, or in contrast to the character of American affairs, I venture to invite your attention to-night.

In the first place, I wonder if you realize that the United States has been alone and unique among the countries of the world in seeking copious and authoritative and comprehensive news of the London Naval Conference via the route of the ether. The contrast between the United States and the world's other countries in this matter has been most striking, to me, most educative.

The chief delegates of all five of the great naval powers assembled at London spoke to the American air. They spoke at American request to American ears. Their speeches, their views, were not sought by any other air in either hemisphere. M. Tardieu, it is true, after speaking in English to the American air, spoke in French to the French air, his own air. Similarly Mr. Wakatsuki, after speaking to the American air, spoke to his own air, the Japanese air. In other words, France heard its own ideas repeated to it by its own representative and Japan heard its own point of view reiterated to it by its own spokesman. Neither country, however, heard the sentiments and the philosophies of the representatives and spokesmen of governments foreign to it.

Moreover, the broadcast of M. Tardieu to France was not the result of any request from France but solely of M. Tardieu's own initiative and suggestion; and the broadcast of Mr. Wakatsuki to Japan was the result simply of the enterprise of a British radio communications company which wished to prove that Japan could be successfully reached through a radio telephone beam station which it possessed on British soil.

In neither France nor Japan, enlightened and advanced as those countries are, was there the slightest spontaneous disposition manifested to make the acquaintance of the problems of the London Naval Conference through an acquaintance on the air with the personalities and the contending convictions of the conference delegates.

As for Italy, alert and vibrant as it is in its new youth, it did not ask to hear even its own chief delegate, and it did not hear him.

As for the British air, it is one of the most educational airs in the world. The programs put on by the British Broadcasting Corporation in the field of literature, in the field of science, in the field of the beauties and of the practical daily utilities of life are at an admirably high level. The management of the British Broadcasting Corporation, which has a governmentally organized and ordained monopoly of all broadcasting in Britain, is in the hands of men of the purest ideals and of the loftiest purposes. They seek diligently to improve the British mind. While I was in London, Sir John Reith, director general of the corporation, made a vigorous public speech, in the course of which, amid much public applause and also amid much public remonstrance and reprobation, he boldly stated that he thought it was a very dangerous and even disastrous thing to adopt the rule of giving the public what it wanted. He maintained that it was his duty as the director general of the British Broadcasting Corporation to raise the taste of the public by giving it not merely what it wanted but what it would want after it had heard it for a long time and had learned to appreciate its excellence. From that one remark of his I think you will join me, without further argument, in regarding Sir John Reith as a robust and resolute character.

You might thereupon suppose that the London Naval Conference delegates, with their weighty remarks about naval tonnages and their uplifting perorations about naval ideals, would be just the men whom Sir John Reith would choose to inflict upon the British listeners whom he labors to elevate. But no! For excellent reasons, which I will touch upon presently, the British Broadcasting Corporation, though perfectly courteously willing to allow the use of its facilities for naval conference broadcasting to inquisitive Americans, was not in the least

interested to put the conference delegates on the British as well as on the American air.

It is true that our chief delegate, Mr. Stimson, spoke on both airs. This, however, was due to Mr. Stimson's own preference and insistence. It was not on the initiative of the British broadcasting authorities. So far as they were concerned, the delegates had no compelling value to their air; and not even their own chief delegate and Prime Minister, Mr. MacDonald, was invited to address it. Mr. MacDonald, when he spoke to the United States, was speaking to the United States alone.

The United States was thus the only country that listened to its own views and to all foreign views officially expressed from the London Naval Conference delegations. Parallely, and consistently, the United States was the only country that sent radio correspondents to London to make the conference the object of steady radio reporting. Virtually all European countries of any slightest importance are quite thoroughly equipped with radio stations. They all listened to the King's speech with which the naval conference at London was opened. That spectacular incident, however, seemed to exhaust their appetite for international naval problems. Only the United States survived to listen to the conference's tame and tedious progress with determined interest or with conscientious public civic spirit day after day and week after week.

Very well! That was the phenomenon. A remarkable phenomenon! The world's most isolationist country—that is, the country which of all the countries in the world is most denounced and reviled as isolationist—taking pains to listen to one of the most undramatic and newsless international conferences in human history, while countries commonly highly praised as standing at the forefront and peak of internationalism and of international cooperation were hardly concerned to listen to it at all.

Nor, let me hasten to add, was this phenomenon confined in its manifestations to the field of radio. It appeared not so extraordinarily emphatically, but still with great clearness and with equal instructiveness, in the field of newspaper journalism. In the course of my stay abroad I diligently perused the naval conference news in newspapers in Britain and in four countries on the Continent. Since my return I have taken a fairly exhaustive and exhausting look at the daily accounts of the conference given in representative American newspapers which had piled themselves up on the tables in my office. I am prepared to say that the American newspaper-reading public has apparently demanded and has certainly received an immensely more extensive and elaborate report of the conference proceedings than the newspaper-reading public either of Britain or of the leading countries of Continental Europe.

This report of the conference in America has not been by any means always friendly. Sometimes, as I look at it, it has been unduly pessimistic. My point, though, is that it has been earnest, industrious, voluminous. From the point of view of volume and of continuity the American newspaper interest in the conference has vastly exceeded any other newspaper interest in it in the world.

I expound this fact to you this evening for a double reason. Firstly, I want to add a bit to your mental preparedness against the sure day when the next foreign lecturer will come to your town and lecture you on how we Americans ought to take more interest in world affairs. The phenomenon which I have described as accompanying this London Naval Conference is a phenomenon which in truth occurs daily. Every day the amount of news printed in American newspapers about world affairs exceeds enormously the amount printed in the British press considered as a whole or in the European continental press considered as a whole; and every day and every week and every month the discussion of international questions on the radio in America is positively overwhelmingly larger and longer and more various than the discussion of such questions in any other country anywhere.

It really is just about time for us Americans to resent and repel the incessantly promulgated and propagated idea that our national foreign policies are based upon national ignorance of world conditions and requirements. This is so far from being the most internationally ignorant country in the world that I make bold to say, though few people ever before seem to have had the hardihood and the arrogance to say it, that this country, in the mass of its people, reads more and hears more and knows more about international situations and international collisions and controversies than any other country on the planet. Our foreign policies may be wrong or right, but in any case they can not be the consequence of lack of information, for they go along with more information, more continuously supplied than can be found within any other national domain.

That is my "firstly" in my little sermon to-night. Let us not, brothers and sisters, allow any of these foreign sojourners among us to persuade us any more that what we think about international affairs we think out of a mental vacuum. We think it, whatever its merits or demerits, out of a store of news and knowledge greater at any rate than is the lot of the mass of the fellow countrymen of the foreign crusaders who seek to rescue us from our state of alleged provincialism, which is in fact a state of exceptional world-awareness.

My "secondly" has to do with a specific technical reason why the broadcasting organizations of most foreign countries can not reasonably

be expected to be as carefree as ours are in opening the lanes of the ether to naval conference delegates and to other public personages. Virtually all foreign broadcasting, for reasons growing out of apparently irresistible and valid local national developments, is controlled either governmentally or quasi governmentally through monopolistic or semi-monopolistic organizations and institutions.

Such radio organizations and institutions, governmentally or quasi governmentally managed, are unavoidably and necessarily extremely cautious in putting public personages on the air, particularly if those personages are foreigners or if, though native citizens, they are engaged politically in trying to put the controlling government out of office. The natural result—and I speak of it not in criticism but purely objectively—is that in most foreign countries the broadcasting on public topics by public men is reduced to a minimum. Over here it is a torrent. Over there it is a trickle. I point you to a paradox. American competitive private radio management, as at the London Naval Conference, puts governmental affairs and governmental spokesmen lavishly on the air. Foreign monopolistic governmental radio management, as at the London Naval Conference, is obliged to recoil from governmental affairs and from governmental spokesmen and can not afford, through fear of political complications, to give them access to the air. There is infinite meditation to be done on this paradox. I leave you to it, ladies and gentlemen, and, with renewed gratitude to you for having listened to me from now so many different spots, I bid you good night.

CARL BEN EIELSON

Mr. NYE. Mr. President, in conversation with the Senator from Oregon [Mr. McNARY] he has very kindly consented to yield to me a few minutes in which I might pay a very brief tribute to one who to-morrow will be honored in North Dakota as no man has been honored in that State in all of the history of that Commonwealth.

On November 9, 1929, near North Cape, Siberia, while on a rescue flight to the frozen-in ship *Nanook*, Carl Ben Eielson was killed, and on to-morrow there will end a long journey from the frozen north which brings the body of Captain Eielson back home, back to Hatton, N. Dak., for burial there in the family plot. Thus will end a life of pioneering that has earned national recognition.

While my State to-morrow is paying the tribute which it will pay to the memory of that splendid life and that splendid character which was Captain Eielson's, I beg the privilege at this time to have incorporated in the RECORD at the end of my remarks a history, as taken from the records of the Air Corps and the Department of Commerce, of the life of Capt. Carl Ben Eielson, and also a story of his life contained in the Fargo Forum of January 12, 1930.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. NYE. Mr. President, on the calendar day of March 19 I introduced in the Senate a joint resolution, and wish it were possible to-day to ask unanimous consent to pass upon it here in the Senate. However, the committee is not yet in receipt of a report upon it from the Department of the Interior; but I am assured that there will be no delay in making the report. The joint resolution calls for the naming of a prominent mountain top in Mount McKinley National Park in Alaska in honor of Capt. Carl B. Eielson. I ask to have the joint resolution printed in the RECORD at the conclusion of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. NYE. In connection with that joint resolution I should like to have incorporated in the RECORD telegrams from the mayor of Fairbanks and commercial bodies of Fairbanks, Alaska, and sundry civic bodies, American Legion posts, and other bodies in Alaska, in support of this sort of a memorial.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. NYE. In conclusion, Mr. President, I send to the desk and ask to have read a letter just received by me this morning from Capt. Sir Hubert Wilkins, addressed to me from New York.

The VICE PRESIDENT. Without objection, the letter will be read.

The Chief Clerk read as follows:

WILKINS-HEARST ANTARCTIC EXPEDITION,  
New York City, March 23, 1930.

United States Senator GERALD P. NYE,

Washington, United States of America.

HONORABLE SIR: I am much interested and in favor of the suggestion that Copper Mountain in Mount McKinley National Park should be renamed Mount Eielson to honor and perpetuate the memory of my late companion, Carl Ben Eielson.

I wish to thank you for introducing the matter before the United States Senate and trust that the Committee on Public Lands will see its way clear to strongly recommend and arrange for the carrying out of the resolution.

Without the least doubt Ben Eielson is the greatest pioneer of Arctic and northern flying and his character such that his popularity included

all ages and types, from the children who met him and promptly crawled into his arms, to the school boys whose hero he was, to his flying companions who admired his skill, courage, and ability, and to the world in general which will profit greatly by the example he set.

He was the finest companion I ever had and his passing has caused me deep regret. I was able last year to name in his honor a cape in the Antarctic, and I sincerely think that there should be some magnificent natural feature in his adopted State, Alaska, named to further commemorate his memory.

I am, sir, yours very sincerely,

HUBERT WILKINS.

(The matter referred to in Mr. NYE'S remarks, and ordered to be printed in the RECORD, is as follows:)

CARL BEN EIELSON—HISTORY AS TAKEN FROM RECORDS OF AIR CORPS AND DEPARTMENT OF COMMERCE

Born, Hatton, N. Dak., July 20, 1897. Graduated University of North Dakota in 1921 with degree of B. A. Studied law at University of Wisconsin (one semester), Georgetown University (one semester), graduated from University of California.

Enlisted in Army Air Service January 17, 1918, as a flying cadet. Received training at Berkeley, Calif., and Mather and March Fields, Calif. Completed flying training March 1, 1919, commissioned second lieutenant in reserves.

From September, 1924, to June, 1925, he served six months active duty at Langley Field, Va., being attached to the Second Bombardment Group. He was promoted to first lieutenant February 18, 1925. He again served a tour of active duty at Langley Field from August, 1927, to September, 1927.

During this tour of duty he received an appointment as airplane and engine inspector of the Aeronautics Branch, Department of Commerce. He formally assumed these duties on September 6, 1927, and served until April 15, 1929, when he resigned.

He served as pilot on the Detroit Arctic Expedition from December, 1925, to July, 1926; on the Detroit News-Wilkins Expedition from December, 1926, to July, 1927. The great flight across the top of the world was made April 15-16, 1928, from Point Barrow to Dead Mans Island, Spitzbergen. He was recommended for the distinguished-flying cross by the Adjutant General of the Army on December 26, 1928, for this exploit, and received the cross March 19, 1929. In the citation the flight was characterized as "one of the most extraordinary aerial accomplishments of history."

For this flight he also was awarded the Harmon trophy on recommendation of F. Trubee Davison, Assistant Secretary of War, which was presented to him by President Hoover at a White House ceremony on April 8, 1929.

In September, 1928, Eielson went south with Captain Wilkins for Antarctic explorations, remaining there several months. The first airplane flight was made in November, 1928, and marked the first time an airplane was used in Antarctic explorations. Returned in March, 1929.

From January to July, 1924, Eielson was employed by the Post Office Department in connection with air mail experiments in Alaska. He was the pilot and manager of the experiment. All together eight trips were made between Fairbanks and McGrath, an average of 302 pounds of mail being carried on the outbound trip and 116 on the return trip.

Recommended for captain by executive officer of the Air Corps on April 19, 1929.

Was killed November 9, 1929, near North Cape, Siberia, while on a rescue flight to the frozen-in ship *Nanook*.

[From the Fargo Forum of January 12, 1930]

LIFE STORY OF EIELSON, NORTH DAKOTA'S HERO SON—YOUTHFUL DAYS POINTED COURSE—AS YOUNGSTER, HE HEEDED THE CALL OF THE GREAT OUTDOORS—LURE OF FLYING POSSESSED HIM—FREQUENT ATTEMPTS TO QUIT FAIL—EARLY EXPERIENCE IN GYPSYING

(The writer of this article is a member of the Fargo Forum staff, a long-time personal friend of Carl Ben Eielson. He has drawn upon his fund of personal information, and upon the records, for this interesting story of the life of North Dakota's most famous native son.)

By Edward M. Yocum

It is a tradition, almost, that the men of the Eielson family leave their homes when they are yet young, to seek new territory, new adventure, and new fields of endeavor.

When Carl Ben Eielson left Hatton in the fall of 1922 for Fairbanks, Alaska, he was following a path almost the same as that taken by his father, Ole Eielson. Ole Eielson's path led him, at the age of 13, from La Crosse, Wis., to Hatton, then a town of one store, four saloons, and a few shacks. It was Dakota Territory then, regarded as rugged, wild, and uninhabitable by the folks in Wisconsin, pioneers themselves in their own right.

And while Ben Eielson did not leave his home at the same tender age as his father had before him, he did, nevertheless, leave for a land regarded equally wild and uninhabitable. Ben Eielson's father and his grandfather, both had a similar outlook on life as it applied to their

sons. Each wanted to set his son up in business—in the case of Ole Eielson that start would have been a fine Wisconsin farm—in the case of Ben Eielson he would have received from his father extensive land and banking interests which he had been educated to manage.

But there isn't any romance, any intrigue, any adventure in taking over a life work that is laid out for you on a platter. The game of life, it seems to the Eielsons, is to go into new country and make your own way.

So it was that Ole Eielson ran away from home in Wisconsin, landing at Hatton. There he began to work in the town's only store and was soon in position to branch out for himself. In 1893 Ole Eielson was married to Olava Baalson, of Broosten, Minn., and to this union Carl Benjamin Eielson, the third child, was born on July 20, 1897, in a little frame house in the northwest portion of the then booming town of Hatton.

The father, whose store was beginning to be larger than a 1-man institution, saw in his second oldest son an excellent prospect as his successor in business. He tried to teach Ben, as his son became known in the town, the art of the country store.

As his father now waits word from his son, who flew out into the Arctic on November 9, when he left Teller, Alaska, the early reactions of his son as a store clerk amuse him greatly.

"WORST CLERK" HE EVER HAD, DECLARES FATHER

"Ben was absolutely the worst clerk I ever had," he recalls. "He didn't like to be indoors; he wasn't interested in dishing out salt pork, beans, and other things. He would much rather go hunting, camping, tramping in the woods. He learned to talk some Norwegian, but it wasn't enough to be of much use to him in the store. I remembered how I had disliked farm work and I let him have his days to roam in the woods."

Residents of Hatton who recall the robust Carl Ben at the age of 10 in 1907 remember that he was a great lover of outdoors. If he wasn't at home, it was likely that he was wandering in the countryside, imagining himself a hunter by summer and a trapper by winter.

In school the future Arctic trail blazer found little to bother him in lessons. His work came easily, he mastered it, and did it all without a great deal of exertion. He was something of a task for his grade-school teachers; he had too much energy for them to find ways to make him expend it.

The extracurricular program in schools was just getting started when Ben entered Hatton High School in the fall of 1910. Athletics were then beginning to be a part of every school program and immediately drew the interest of young Eielson. The ease with which he got his lessons left him with extra time. His instructors solved this problem by placing him on the debating squad.

While Hatton High School failed to win any championships in the sports fields, Carl Ben Eielson was one of the best basketball players the school ever had. Basketball was then about the only small-town school sport. Only a few remain at Hatton who can tell you of Ben Eielson, basketball player. These few, however, recall that he was cool, quick in his decisions, and all around "one who held his own with the best."

Hatton's debating team went farther than its basketball team in the quest of State honors. In both 1913 and 1914 the Hatton team figured in the State finals, winning in the second year with Ben as the leading speaker. This same youth who abhorred the confines of his father's store had found intrigue in meeting fellow students on the common ground of debate.

UNDERTAKES TRAINING TO FIT SELF FOR BUSINESS

With his father in the store business and with considerable banking interests, it seemed fitting that Ben should prepare himself to follow his father. In the fall of 1914 he entered the school of commerce of the University of North Dakota.

Almost immediately he was plunged into a round of student activity which only one of considerable capability and ambition could take on. Uniquely, he was both a member of the school basketball squad and of the university intercollegiate debating team. He was pledged to Alpha Kappa Zeta fraternity, took his paddlings, "scumming," and "hell week," and when he returned to the school in 1918 he was a full-fledged member of this group; had also been elected to Delta Sigma Rho, highest honor conferred on those engaged in debating.

Originally interested in commerce, Eielson's oratory and forceful delivery from the debate floor found favor with the law instructors of the campus, and in his third year they interested him in some courses in law. Also during his junior year he found time to act as editor of the *Dacotah*, student-managed yearbook and chronicle of school activities.

ARMISTICE KEEPS HIM HOME; STARTS AERO CLUB

Thoroughly convinced that law was his chosen profession, Ben enrolled in the University of Wisconsin school of law in the fall of 1917, but the glamor of the air service drew him, and on January 17, 1918, he was accepted at Omaha. He progressed rapidly and completed his ground-school work at the University of California, at Berkeley. Advanced work was taken at Rockwell and Kelly Fields, and when the

war closed Eielson had his commission as a second lieutenant in the American air forces. He received sailing orders just before the signing of the armistice, but never left this country.

Mustered out in the spring of 1919, he returned to Hatton and laid the groundwork there for the formation of an aero club, said club to purchase a plane and designate Ben as its pilot.

He reentered the University of North Dakota in the fall of 1919, taking the plane which he had bought to school with him. It is likely he was the first student to have his own plane at school. He was graduated from the University of North Dakota in June, 1920, with his choice of life work still lying between the profession of law and the newly acquired science of flying. During the summer of 1920 the Hatton Aero Club prospered, and Ben was booked for stunt engagements in a number of northwest cities. He had a year jump on the air circuses which were to become popular and made the most of it.

#### CRACKS PLANE AT CLIMAX; CLUB ENDS WITH ACCIDENT

It was during this summer that he met with his first serious crack up. Billed for a day of stunting at Climax, Minn., he had difficulty in taking off on a short field. Telephone wires and a rail grade loomed ahead of him and he essayed to fly under the wires, over the grade, and under the wires on the opposite side of the tracks. The plan worked well until he attempted to fly under the second set of wires. The telephone poles were not aligned and the plane careened to the ground after losing a wing and the running gear on a phone pole.

His brother, Arthur, finished the flight by bringing a truck from Hatton and carting the debris home. Eielson patched up the plane, but at the request of his father promised to quit flying and return to his schooling. The Hatton Aero Club ended with the crash. The plane was sold to a man at Gardner but was soon lost track of.

Deciding that aviation must be passed by the wayside to meet the demands of father, brothers, and sisters, Eielson entered the Georgetown University College of Law, at Washington, D. C., in the fall of 1920.

The air again called him at the close of the school year, and the Hatton Aviation Co. was formed to take the place of the Hatton Aero Club. Eielson again was pilot of the firm's only plane and put in a summer of stunt and gypsy flying during 1921. Included in his itinerary that year were performances at the North Dakota State Fair at Grand Forks.

A year of gypsy work, hauling passengers, doing stunt flying, saw the summer of 1922 roll around, and with it a job of teaching school at Fairbanks, Alaska.

#### TAKES SCHOOL JOB BUT QUICKLY FORMS NEW CLUB

The same urge that prompted his father to seek out new lands prompted the father's son to seek new country, and Ben became principal of the high school at Fairbanks. He had been there but two months and the desire to fly gripped him again. The first his father knew of it was when he learned that a Curtiss plane was being shipped to Fairbanks.

Immediately on its arrival Eielson began to use his spare time to prove to himself and to Alaskans that the air was the only satisfactory way to travel in the far north; that it was dependable, safe, and a thing to come for a certainty in a not far distant future.

Eielson realized at the start of the venture that he would need two things if he were to succeed—good will and capital. He got both by organizing the Farthest North Aviation Club. At first a pleasure and sporting venture, the Farthest North Aviation Club soon plunged into the grim business of saving lives, saving them by saving days which were so precious in getting isolated patients to medical attention.

But before we take Eielson farther into this many-colored and many-sided Alaskan career, a look into the past, already detailed, may give a résumé of the picture which saw him willing to face death to prevent or allay it.

As a boy he had wanted to roam the woods and see new places. As a man, a school-teacher with an airplane, that desire could still be satisfied. As a boy he had abhorred the business of his father—he must find a new one. Certainly his life work wasn't to be law, it must be aviation. He hadn't been able to stay away from it, and with it here in the north he could find all of the adventure he sought and add a good measure of service to the citizens there while enjoying it.

So Carl Ben Eielson became Alaska's first resident commercial pilot.

#### EARNs BIG REWARDS BY FLYING SUPPLIES TO MINERS

He found that miners, far from civilization, would gladly pay highly for luxuries which they couldn't get. Luxury to them was an ample supply of cigarettes, snuff, and rapid mail service from the States. In some of his first trips he received \$1 a package for transporting snuff and \$2.50 a carton for hauling cigarettes into isolated points on the Yukon. He made round trips in a day that a dog team would take 20 to 30 days to make in one direction.

Alaskans marveled at this man who thought nothing of hopping across mountains into weather that always held the element of suspense in the queer quirks it might take.

To the Eskimos, Eielson immediately became a god, a strange combination of bird and man. Almost at once they took him into their

inner circles, made him a member of their tribes. The Yukon Indians, inhabitants of the territory of the Fairbanks area in which he did most of his flying, adopted him and gave him the title "Moose Ptarmigan."

To them the moose was the biggest known animal. Eielson was the biggest man they had ever known—not in stature but in achievement. The ptarmigan was their biggest bird—Eielson was more than that, he was both, and hence "Moose Ptarmigan."

At once the possibilities of Alaskan aviation came to Eielson, and he immediately began work to secure the same sort of subsidy that has been the parent of air lines in the United States—the air mail.

#### BECOMES ALASKAN HERO BY FLIGHT OF AIR MAIL

The biggest load of mail from Fairbanks was carried to McGrath, a distance of about 300 miles. By dog team team this journey was uncertain, tedious, and a matter of 20 to 30 days for a 1-way trip, depending on the weather that was met in the mountain passes. He secured a lot of data on the country, familiarized himself with the terrain, and laid the groundwork for contracts to come later with his work in the winter months of 1922. As a trial venture he carried nearly 500 pounds of mail and express on February 21, 1923, to Nenana, a point 275 miles from Fairbanks.

This was the first air mail flight in the history of the Territory and a 15-day span of time which separated the two communities was bridged in less than three hours. A DeHaviland plane was used by Eielson, believed to have been brought to Alaska by some English soldier of fortune whose identity was never definitely determined.

The flight carved itself deeply into the memory of the Nenana residents and they billed "Benny Eielson," the "world's greatest airplane pilot," as the feature of their July 4 celebration, 1923. Such an occasion of state was made of Eielson's appearance that certificates were issued to those present that they might go home and prove that they had been there. The tickets sold well.

When the late President Harding visited Fairbanks during his ill-fated journey, Ben was chosen by the Alaskan entertainment committee to head the program which had been arranged.

#### FEATURES PROGRAM FOR RECEPTION OF HARDING

Eielson was booked to do 10 minutes of stunt flying over Fairbanks, and, according to Alaskan newspapers which chronicled the event, he put on more than a show. The Skagway paper, in commenting, says: "Ben Eielson who, during the last winter, saved many lives with his quick trips by airplane, was the principal entertainer of the day's program at Fairbanks. The sourdough mushers of the Arctic who came down to see the White Chief watched with open mouths as the Fairbanks school-teacher put his airplane through a long series of difficult maneuvers."

So pleased were the Alaskans with the show which Eielson had staged that they presented him with \$1,000 in gold.

In the fall of 1923 Eielson came back to the United States, paid his annual visit to his folks at Hatton, and then went to Washington in quest of air mail contracts. After much rope pulling, wading through a maze of red tape, he managed to secure a tentative contract to carry the United States postal parcels and letters from Fairbanks to McGrath. He was to make 10 trips, 1 every two weeks.

The contract, the highest priced ever written by the Federal Government to any company or private pilot, to carry a given route regularly, called for payment at \$1 per mile flown. The round trip from Fairbanks to McGrath was worth about \$650. The trips by dog teams had held a prior contract at approximately \$1,000 for the round trip.

Eielson not only completed his contract but made every flight on the scheduled day. One of them was made in a fearful blizzard which the people of Fairbanks were unable to match in their memories. He was lost for an hour, but finally landed at McGrath. On another occasion he was lost for a short time when darkness overtook him, but made a safe landing with improvised flares set out by the residents of Fairbanks.

#### PLANS FOR NETWORK OF ALASKAN LINES FAIL

All of the time that he was doing gypsy flying, hauling mail, sick persons, carrying serum to epidemic-stricken communities, Eielson was laying plans for a network of airlines which he hoped some day would cover all of the vast Alaskan territory and which would handle practically all of the mail. He was gathering data, gaining experience in navigation, and preparing for his chosen life work, that of Alaskan aviation.

He thought that the outlook was rosy for a large number of air mail contracts when he came back to Washington in 1924 to talk the matter over. He found that the postal authorities were not easily sold on the idea. "Aviation in a country where it is often 50 below zero? It can't be carried on"—that was their answer.

It was a rather disappointed Eielson who returned to his home in the summer of 1924. Despite his performance of his air mail contract on the dot, he hadn't been able to get another which was needed for the profitable operation of an Alaskan air line. Perhaps law was the best bet after all.

So Ben once more promised his father that he would forsake the flying game; that he would start out in earnest now to become a

lawyer. Ole Eielson, the father, was still skeptical, but was in a considerably eased frame of mind when he saw his son eastbound for Georgetown University in the fall of 1924.

Three weeks later a telegram arrived at the Eielson home in Hatton: "Have joined the Army Air Service. Send uniform and Sam Browne belt."

Ben Eielson's wings just wouldn't stay clipped.

An airplane carried much more adventure than stern volumes of Blackstone.

#### MEETS WILKINS WHILE IN ARMY'S FLYING SERVICE

His Alaskan experience had fitted him well for some work that the Army was about to undertake in experimenting with skis at Langley Field, Va. After several months' work with the bombing division of the Air Service, Eielson had developed a new type of ski which fitted the needs of the heavy planes. In the meantime Second Lieut. Carl Ben Eielson had advanced to the rank of first lieutenant. During the fall of 1925 Eielson met Capt. George Hubert Wilkins, Australian explorer, then laying plans for an air dash across the North Pole from Alaska to Spitzbergen. The attraction was mutual. Eielson's record in Arctic flying was without equal, and Wilkins engaged him as his chief pilot. A friendship was formed which later blossomed into international repute and acclaim.

With a few interludes, the next two and one-half years of Eielson's life were taken up in work as chief pilot for Wilkins. The story of Eielson's work during that period is fully and colorfully covered by Wilkins in his book *Flying the Arctic*, and a summary of that is included in this sketch of Eielson's life with the consent of the publishers of the volume, G. P. Putnam's Sons, of New York City.

The first Arctic expedition under Wilkins's leadership was backed by Detroit aviation interests and subsidized by the North American Newspaper Alliance.

All in all, the vast party which was forced on Wilkins against his judgment and its unwieldiness grated on his nerves. He had planned to take one, possibly two, planes, a skilled mechanic, and set forth on a venture to fly over the pole. The Detroit backers wished the work carried on in a more gigantic way; and when the party, large enough to charter a vessel of its own, left Seattle there were three airplanes, numerous experts on motors and airplanes, six news camera men, and a group of reporters.

#### EIELSON SELECTION DRAWS CRITICISM FROM BACKERS

Getting the planes assembled at Fairbanks after a rail journey from Seward, the party was ready to take to the air by February 15, 1926. The question immediately arose as to who would be the first test pilot in the expedition. Wilkins picked Eielson and drew adverse criticism for doing so. Others of the party did not place a great deal of faith in this musher of Alaskan planes about whom they had heard so little but who was so highly worshiped by the people of Fairbanks.

As if to foreshadow the disasters that lay ahead of the expedition, a sad blow was dealt to all of the ballyhoo given it in the United States when Palmer Hutchinson, Detroit News correspondent, was killed as the trimotored plane was being made ready for flight. Major Lanphier was in control at the time of the catastrophe, testing motors.

When Wilkins decided to take the single-motored Fokker plane, the *Alaskan* off from Fairbanks he again selected Eielson as his pilot. The Hatton flier got off without difficulty and after a short flight had won further confidence of the expedition head. Misfortune continued, however, and as Eielson was bringing the ship down it crashed, stalling at an altitude of about 200 feet. Neither of the men was hurt.

"Moose Ptarmigan" had had his first serious Alaskan crash and been unfortunate enough to suffer it when the glare of publicity and the hostile fires of jealousy were turned in his direction. Wilkins didn't lose faith in him and commented so at the time and in his book. (A group of quotations from Wilkins's book will be found elsewhere in this sketch.)

With the *Alaskan* out of use for at least three weeks while repairs were being made, Wilkins determined to take the *Detroit*, trimotored Fokker plane, off on a short test flight, with Major Lanphier at the controls. Lanphier made an error identical with Eielson and his ship was badly damaged when it pancaked into the landing field at Fairbanks. The expedition was delayed for at least three weeks, the third plane having been burned in a fire at Fairbanks.

#### MAKE FIRST TRIP ACROSS ENDICOTT MOUNTAIN RANGE

Finally, on the 31st of March, the *Alaskan* had been repaired and Wilkins was ready to begin the task of ferrying gas to Point Barrow for use in exploratory work to be done to the north of that point. Point Barrow, the northernmost point on the American Continent, lies some 550 miles north and west of Fairbanks with the treacherous Endicott mountains as a barrier to separate the two.

The normal load of the plane was set at a ton, but Eielson skillfully managed to get it into the air with 3,500 pounds of dead weight aboard. Maps at the disposal of the pair—Wilkins flew with him—showed the mountain range to be 5,000 feet high, but at 5,000 feet they found mountains still well above them, and the same was true when an altitude of 9,000 feet was reached. Not being able to go over the range, Eielson threaded his way through and headed on a dead-reckoned course for Point Barrow. A tail wind boosted their speed from a normal 100 miles

an hour to 150, and after four hours Wilkins realized that they had overshoot the coast and were out over the Arctic Ocean.

Eielson, supremely confident in Wilkins's ability to navigate, held the plane on the course which his commander had outlined. Wilkins, glorying in the sighting of new territory, said nothing for nearly an hour after the coast line was passed. Finally he told Eielson, "Look to the north and you will see 100 miles farther than any other man before you has ever seen. Do you care to continue?"

Eielson's answer was the first of many similar phrases which he was to repeat during the next two years, "If you think it best." They continued for half an hour, reaching a point nearly 250 miles north of Point Barrow, over the Arctic ice pack. The expedition which had seemed doomed had at last gotten a break.

Although they were lost for about 15 minutes on arriving at Barrow, Wilkins recognized the terrain, having seen it in 1913 when he was with Stefansson, another North Dakota born explorer. Despite a howling blizzard and 40-below weather, Eielson brought the plane safely down on a lagoon near Point Barrow. Residents of the little community, who had been told to expect the party about March 15, were delighted; Eskimos amazed.

For six days the storm continued, and Eielson and Wilkins were held at Point Barrow. Wilkins renewed acquaintances and Eielson formed new ones. Present at Point Barrow when the pair dropped in on the village was Edna Claire Wallace, fiction writer, getting some material for a novel which she proposed.

Finally, after six days the weather cleared and the pair hopped for a return flight to Fairbanks. They had completed the first trip successfully. Caught in a storm they spent a night at Circle City, and then flew into Fairbanks the next day, April 7. A day later saw them returning to Fairbanks, hauling gasoline to be stored up for the trimotored ship when the flight across the pole was to be tried. This time Eielson managed the journey with 4,000 pounds on board a 1-ton airplane.

#### BITTER EXPERIENCE IN USING FAULTY PROPELLER

A stove used to heat the motor at Fairbanks fired a canvas covering as preparations were being made for the second return journey. In the air Eielson found that laminations on the propeller were giving way and that the vibration threatened to wreck the machine. Returning to Point Barrow they bound the propeller with brass strips and once more took off. This time they found that the propeller was out of balance, and returned again to spend three days mending it. Completing their task they again got into the air and returned to Fairbanks for the second time. Residents of a settlement en route formed themselves into an arrow to point the direction to Fairbanks when they became lost in cloud banks over the Yukon.

On the third journey with gasoline Eielson just managed to squeeze the plane between two mountain peaks. The heavy load made it impossible to gain enough altitude to clear the Endicott Mountains. Wilkins recalls that on looking down he saw the wheels spinning fully as fast as they were when the ship took off, making him certain that they had grazed snowdrifts in threading passage through the mountain passes. So accurate was the course mapped on all of the three journeys and so closely did Eielson follow it that Point Barrow was never missed by more than 15 miles.

With an ample supply of gas at Point Barrow, Wilkins radioed to Fairbanks for the trimotored ship to proceed northward at once, and that a hop to the island of Spitzbergen would get under way soon. They would fly across the pole, he said. (Byrd and Amundsen had not yet flown across the North Pole, but both were in position for their dashes at that time.)

Major Lanphier reported that the trimotored Fokker would not clear the mountains and that test flights had shown the gas consumption to be such as to make the journey hazardous. The next course was to go back to Fairbanks, and Eielson again made the journey without accident.

Finally it developed that the bigger ship could be flown, and Wilkins took off for Barrow with two pilots. They cleared the mountains, but the explorer soon after got a shock when he learned the two pilots were battling over the controls. Eielson had been left at Fairbanks for a rest.

One wished to return, the other to go on—they paid little heed to Commander Wilkins.

This was sharp contrast for Wilkins, who had come to expect the unflinching loyalty and confidence of Eielson.

The gentleman who wished to go on to Point Barrow won the argument, and the party negotiated a landing after a hectic journey. The spring winds were bringing fogs almost daily to the Arctic shore line. After many weeks of waiting, Wilkins finally abandoned his polar efforts on June 4, learning in the meantime that Byrd had completed his dash and that Amundsen had piloted the *Norge* over the pole, over Point Barrow and on to Teller, Alaska. Wilkins and his party believe that they sighted the *Norge* as it threaded its way south.

Before abandoning efforts for 1926, Wilkins had assurance that the work was to be carried on the next year. There was still the vast territory between Grant Land and the pole which had never been seen by man and in which vast areas of land might exist.

Wilkins came back to the United States to lay plans for the coming year; to give lectures, have his autographs sold, do almost anything to help fund the \$30,000 debt which faced the explorers as the result of badly bungled management at home.

The restless Eielson had to have action—he'd have to get in some more flying somewhere, and about that time Florida beckoned. Florida Commercial Airways Service was formed, and Ben was the company's first pilot. He was first pilot for an almost endless number of companies, it seems, as one goes on down through his record.

#### SPENDS SEASON FLYING FOR FLORIDA CORPORATION

Florida Commercial Airways Service dealt in both passenger and mail carrying, and the route which Eielson flew was the most treacherous of all—the hop from Tampa to Miami, across the Everglades. He also flew the first load of air mail into Atlanta, Ga., making the trip from Jacksonville, Fla., in a trimotored plane.

While the story can never be definitely run down, it is thought that he was one of the first to stunt a trimotored ship—doing loops, barrel rolls, and Immelmans over Miami when he thought a "little advertising might pep up the business."

As February neared he prepared to again set sail for Alaska, Captain Wilkins having secured the aid of the Detroit News and other backers to essay a second attempt at the globe's largest blind spot. This expedition was to use the trimotored Fokker, the single-motored Fokker, and two new Stinson biplanes which Wilkins had managed to purchase.

In the 1927 party which sailed from Seattle on February 11 were Wilkins; Eielson; Alger Graham, a pilot; a mechanic; and a representative of the Detroit News.

Once at Fairbanks, it was decided to take the large Liberty motor from the single-motored Fokker plane and build it into the longer winged trimotored craft. This was accomplished in about two weeks and the craft proved airworthy. (This ship later was sold and became the *Southern Cross* of San Francisco to Australia fame.)

The two Stinsons had been equipped to give a range of about 1,600 miles, and with these two and a hired plane the Wilkins party moved from Fairbanks to Point Barrow on March 13. Joe Crosson (Wilkins spells it Crossan) piloted the hired plane, that all of the Wilkins party might arrive at Barrow at one time.

With Amundsen and Byrd already having reached the pole by air, Wilkins abandoned this phase of his program and decided to determine the extent of the continental land shelf. This was to be done by flying north-northwest from Barrow for about 700 miles and then returning. On the morning of March 29, with Eielson as his pilot, Wilkins ordered the take-off for the exploration in the neighborhood of Wrangel Island off northeastern Siberia. They would fly to the north and east of Wrangel Island, taking soundings and returning to Barrow.

The trip proceeded without incident and the first sounding some 400 miles out showed a depth of more than 5,000 meters, proving a termination of the continental shelf somewhere between Barrow and the sounding. The landing was made when the plane began to misfire and twice more the pair were forced to come down on the arctic ice pack to work on the motor. Wilkins afterwards learned that Eielson did most of the work with four fingers on his right hand frozen, but had said nothing about it at the time.

#### LANDING UPON ARCTIC ICE IN NIGHT PROVES FORTUNATE

While they were delayed with repairs to the plane a stiff wind came out of the southeast and increased their gasoline consumption. Finally, about 9 p. m. on the evening of March 29, the plane missed fire, stopped entirely. Eielson sent the Stinson into a glide and landed, blindly, in the dark on the arctic ice. In daylight they saw that a 30-foot ice ridge lay in front of them and that another of equal height was behind them. They regarded their safe landing as miraculous, although the landing gear had been crushed and a wing had been torn.

For three days they were confined to their plane by the storm which had ridden out of the south and consumed their precious gasoline. On the fourth day the pair started on foot, having determined that they were about 100 miles from Point Barrow. The only course open was to walk to shore.

Wilkins details a story of heroism as the pair proceeded on foot, built snow houses at night and burned some of their clothes to melt snow that they might have water to drink. Concentrated foods which they carried furnished sustenance for 17 days' walk to land.

Eielson, Sir Hubert recalls, suffered excruciating pain with his frozen fingers, but complained not. Drifting ice, which at first carried them away from shore and to the east of Point Barrow, finally began to move in a favorable direction, and on the 16th of April they arrived at Beechey Point, discarded their arctic walking clothes, and ate the first warm meal in 18 days. A week later Alger Graham came from Point Barrow and flew them back to the original starting place.

#### MISSIONARY USES KNIFE TO AMPUTATE FROZEN FINGERS

Three of Eielson's fingers had improved, but the smallest one on his right hand was getting steadily worse. It was black and blistered as the result of the frost bite. A missionary at Barrow amputated it at the second joint.

While coming to disaster the flight and walk in the Arctic had proved three things to the satisfaction of Wilkins and his backers, the Detroit News. First, the approximate limit of the continental shelf north of Siberia; second, that landings and forced landings on the Arctic ice pack are possible; third, that it is also possible for experienced men, without dog teams, to walk to safety over the arctic ice pack.

With his hand still in a precarious condition, Eielson did not figure in the further work of the group during 1927, except that Wilkins came to appreciate him more as he attempted to carry on his projected work in the explorations from Barrow.

Alger Graham took up the duties as pilot of the second Stinson plane and essayed one flight to the east and north of Point Barrow. Discouragements were many and Wilkins made arrangements to return the party to the United States, arriving June 4 at Seattle.

The assets of the expeditions consisted only of the remaining Stinson plane, which was stored at Fairbanks and which burned recently in a fire there, and the single-motored Fokker and the remains from the second Fokker, which had been used in its construction. The Detroit News offered to pay outstanding bills and call its part of the show closed. Backers regarded the Arctic work at an end, perhaps not a failure, but certainly not a success.

Wilkins was certain that with proper equipment and Eielson as his pilot he could survey the vast blind spot to the north of Grant Land and immediately went about plans for the coming year, a year which was to end in one of the outstanding aerial accomplishments of all time, as well as a valuable contribution to polar exploration.

#### NEW EXPEDITION TO MAP BLIND SPOT FITTED OUT

Interested in the preparations for the Dole flights to Honolulu and in the late-type planes which would be shown there, Wilkins went south and got his first glimpse of the Lockheed-Vega plane. He called Eielson into conference, and after some deliberation purchase of this plane for use in the projected 1928 expedition was decided upon. Construction of the plane was begun at once, and it was especially fitted with huge tanks to carry an immense load of gasoline.

Many of Eielson's findings as the result of two winters within the Arctic Circle were utilized on construction of the plane. The last expedition was privately financed and managed by Wilkins.

During the summer of 1927 Eielson visited his parents at Hatton, again went East hoping to interest eastern capital and the United States Government in the letting of air mail contracts in Alaska. He did some work for the Department of Commerce as an inspector of pilots and airplanes, and for a time during the early part of that fall was an inspector at large of airports, a job which saw him flying from one end of the country to the other until January, when he put the Lockheed-Vega, X-3903, through its paces in California preliminary to shipment to Alaska.

In February he met Wilkins, his father and his sister, Adelaide, at Seattle, and from there sailed with Wilkins for Fairbanks. Arriving there February 26 they found conditions exactly the opposite of years before. Slush stood in the streets, water dripped from the houses. A year earlier they had found temperatures of 48 to 55 below zero. As Wilkins put it, it was the sunshine after the storm; a good omen after two years of misfortune and halting successes.

In the third expedition, Wilkins named it the "Detroit News-Wilkins Arctic expedition," although receiving no backing from the newspaper. It was done, he explains, in the hope that some success might come of the venture and that his former backers, though now out of the game, might share in whatever glory was to be had.

After two weeks of testing the plane it was ready for the hop to Point Barrow, from which place the pair planned to shove off for Spitzbergen.

In the meantime, the American Legion post of Fairbanks had staged its annual Tombola, winter show, and had asked a delay that Eielson might take part in the festivities. At the request of the post an American Legion flag was stowed in the plane that was ultimately to fly across the top of the world.

Commenting on Eielson's Alaskan friends, Wilkins says in his book: "Eielson, who is Alaska's popular hero, has in Fairbanks, as everywhere, many friends. It was necessary that we leave there that he might get some rest before our polar flight. I could refuse invitations on the grounds of business pressure and Eielson, without any excuses, had to accept the many social obligations that were thrust upon him. Many of his friends thought that he was headed for his doom."

On March 19 the flight to Point Barrow was made without incident, and preparations were immediately begun for the take-off for Spitzbergen.

#### TAKE-OFF ON FLIGHT TO SPITZBERGEN SPECTACULAR

Two attempts were frustrated when runways were not long enough to get the heavily laden plane into the air. Finally a long runway, more than a mile in length, was cleared on the Elson lagoon near Barrow, and dog teams hauled the plane from the old landing field to the new.

While the field was being prepared with Eskimo labor, the native women, white and Eskimo, labored on garments for their annual visitors. Hides were scraped, pongee silk which Wilkins brought with him was

sewed as a covering for some of the garments. Experience had shown that snow did not stick to it to any great extent, and the pair had not forgotten their long, cold walk of the year before.

On the morning of April 15 weather was ideal for a take-off. The plane was loaded with gas, the motor heated, and all was in readiness.

This is Wilkins's description of the start of an epic endeavor in aerial flight and navigation:

" 'Switch off,' to Eielson.

" 'Switch off,' he answered.

" 'Gas on,' I said.

" 'Gas on,' he said.

" I swung the propeller sharply to suck gas into the cylinders.

" 'All clear?' I asked.

" 'All clear,' Eielson answered and snapped the switch. The motor coughed, kicked, coughed again, and began to purr smoothly. I climbed into the navigator's cabin and shouted, 'Let's go!'

Continuing his vivid picture of the take-off shortly before noon that day, Wilkins tells of his thoughts as the heavy plane plunged down a primitive runway.

" From the cabin window I could see the plane swaying between the two banks of snow, missing first one side by a foot or two and then the other. I marveled at Eielson's skill and courage. An error of a few pounds' pressure on the rudder, a swing of a few inches one way or the other and we would have been hurtled into the snow bank; our skis would have buried themselves in the snow we had thrown from the runway, and disaster would surely have followed.

" Eielson kept his nerve. I prayed. Sixty, seventy miles an hour. We lifted, swung sickeningly, touched the ice again—then soared smoothly into free air. It was a wonderful take-off."

#### AT CONTROLS 20 HOURS—LAND IN BLINDING STORM

For 20 hours and 20 minutes Eielson sat at the controls, battled through clouds off Grant Land, fought more clouds as he passed to the north of Greenland, believing that they sighted the house from which Peary started his dash for the pole. For 1,300 miles the pair traveled over a part of the globe which had never before come under the sight of man. Of this, 1,200 miles were visible to them, fogs and clouds blotting out 100 miles of the territory covered. They sighted no land and believe that none exists, even in the spot they did not see.

They had blasted the popular belief held by some explorers of a large polar continent, perhaps a vast warm, inland polar sea.

Flying toward Spitzbergen, they were presented with two alternatives. One was to continue in the face of certain storm and the other was land on Grant Land, or off the shore of Greenland and again walk to habitation.

Wilkins put the question to Eielson—his answer was the same as that which had started the air voyage—"Let's go."

With gas running low, with open water under them and an overcast sky preventing observations, they suddenly sighted high peaks which they thought at the time were a part of Spitzbergen's mountain range.

Wilkins pays high tribute to Eielson for his work in nosing the now light plane down through boisterous winds to an area that appeared smooth in the shadow of the peaks. The glass of the pilot's cockpit had become covered with frozen oil and snow and Eielson negotiated his way to the field on the basis of notes written and passed hurriedly by Wilkins.

#### ONLY 20 GALLONS OF GAS LEFT AT FINISH OF FLIGHT

A "beautiful soft landing" is Wilkins's description of the end of the flight in a raging snowstorm. Their first thought on landing was to protect the motor. The oil was immediately drained and the canvas covers fastened in place. The next thought was of the gasoline supply. Eielson believed 20 gallons remained and a check later proved him to be right.

For five days the storm on the island raged and repeated observations showed the pair to be some 100 miles from where they thought they were, but almost exactly on their previously planned course.

They had alighted on Dead Man's Island, an uncharted bit of land just off the Svalboard radio station in Spitzbergen.

Finally, on the 21st day of April, some heroic work on the part of Wilkins enabled the pair to get the ship into the air again. Wilkins was forced to shove the plane to get it in motion. The intense cold froze the skis to the ground in an instant. Once in the air the pair almost immediately sighted the radio masts of the Svalboard station and in about 20 minutes after their take-off had completed their landing on the mainland. They were at Green Harbor, the objective of their flight.

Even in his polar flight, the country-store experience of Carl Ben Eielson came to his aid. The first men to come to the plane did not understand the English spoken by Wilkins. Eielson addressed them in Norwegian and was understood. They told him later that he spoke the pure dialect of a century before.

Messages were dispatched to the folks at home, to the makers of the plane, motor, and equipment, and toasts were drunk by the islanders to the latest heroes of trans-Arctic flight.

#### INVITATIONS FLOOD PAIR IN SPITZBERGEN

The pair had not been at Green Harbor more than a day before invitations began to come to visit the capitals of Europe and receive the tributes of those countries. One of the first of these came from Amundsen, who had flown over the pole the year before in the semidirigible *Norge*.

Soon after landing at Green Harbor, Wilkins began to make plans for the return to civilization. The cutter *Hobby* was frozen in at Kings Bay, where it had been delivering supplies for the Nobile expedition. It was thought it could break free, and for nearly two weeks the party was held at Green Harbor awaiting the call of the *Hobby*.

Early in May the vessel made the call, the polar plane was taxied to the waterfront, and the trip to Europe began. Wilkins, Eielson, and the plane were dropped at Bergen and, after receiving a banquet there, proceeded to Denmark and Germany to be feted by capital dignitaries for two days and to receive the highest aviation awards which the German Republic could bestow.

Not forgetting the warm invitation from Roald Amundsen, they returned to Oslo and were guests at the explorer's home four days. Here the Norge medal of Norway was presented to both Eielson and Wilkins by their host in the name of the King of Norway. It was while here that the ill-fated *Italia* crashed after circling the pole, and Wilkins, Eielson, and Amundsen immediately proffered their aid to take part in the search.

Eielson and Wilkins were not needed, but a few days later Amundsen flew to his death at the head of an aerial expedition organized by the French Government.

Holland called the trail blazers from Oslo, and Queen Wilhelmina, in the name of her country, presented the explorers with awards from the tiny kingdom. Copenhagen, in the meantime, sent vases of imperial pottery as a tribute to the 3-year exploits of the pair.

#### KING GEORGE, TOO, IS GLAD TO BE THEIR HOST

From Amsterdam the pair again took the air, for the first time since landing at Green Harbor, and were passengers on an air liner to London, where they were to be received and honored by King George.

Wilkins, a British subject, was knighted "Sir Hubert" by the King and Eielson again was given the highest of honors at the power of the land to bestow. France was next on the program, and here the late Ambassador Herrick, who had been Lindbergh's host, found joy in again welcoming an American aviator. They returned to London from France, and Wilkins began to lay plans for a venture into the Antarctic, beseeching Eielson in the meantime to accompany him.

Eielson bided his time, remembering the possibilities of Alaskan aviation.

On July 2 New York City gave the returning Arctic heroes one of its typical roaring welcomes. They were guests of the city for three days; Eielson was met first by his father and brother, Arthur. The Quiet Birdmen, select group of aviators which lists less than 30 on its rolls, made the North Dakotan a member, and gave him a banquet and medal as a memento of the occasion. President Coolidge sent his congratulations and a representative to greet the pair.

Proceeding west across the country, Eielson and Wilkins were tendered a number of testimonial banquets, principally at Philadelphia, Cleveland, and Detroit. The latter city, not forgetting the fine gesture of Captain Wilkins in including its name as a part of the expedition's cognomen, started a 2-day celebration in their honor. From Detroit they flew the polar plane to Milwaukee, and that city again repeated the welcome which it had given earlier in the year to the party of the Junkers plane, *Bremen*.

#### ROARS INTO FARGO ON HIS THIRTY-FIRST BIRTHDAY

At 10.30 on the morning of July 20, Eielson's thirty-first birthday, the polar plane, with the same pair which left Point Barrow three months before, took off from Milwaukee. At 4 p. m. Eielson roared the ship over Fargo, circled the city three times in traditional salute and landed at Hector airport, to be met by the vanguard of North Dakota friends, new and old, who were to congratulate him in the next week. That night Fargo tendered the pair a birthday dinner in joint honor of Eielson and Wilkins.

The next morning they took off for Hatton, and brought the plane down into Andrew Staven's hayfield; the same field in which Eielson had so often landed his Curtiss Jenny in his gypsy days.

Not to be outdone by the capitals of Europe and the metropolitan centers of the United States, Hatton residents had planned and carried out a 2-day celebration in honor of their most distinguished son. North Dakota, as a State, joined in welcoming its hero home; the American Legion presented a trophy and the residents of Hatton a gold medal. Governor Sorlie eulogized the pair in a public meeting attended by more than 5,000 people.

The celebration continued through Sunday, and on Monday Eielson returned to Fargo with Wilkins to be a guest at the fair then in progress and to greet the national reliability air tour which was here.

#### EXPLORERS SPEND TWO DAYS AT FARGO FAIR

That day and the next Wilkins and Eielson were guests at the fair; made addresses and appeared before service clubs. On the morning of

the 24th they hopped for Omaha to again receive honors. The day following the polar ship was stored at St. Paul, Wilkins went East to complete arrangements for the south polar trip, and Eielson came back to his State to enjoy the first rest in nearly eight months.

At home Eielson pondered over the Alaskan project and the adventure ahead in the Antarctic. Finally, after many pleas from Wilkins, he decided to go south. Late in October the party was assembled in New York City. Joe Crosson, who in 1927 had done so well with a borrowed ship in Alaskan work, was called to join as Eielson's assistant.

Sailing south, the party reached Deception Island, to the south of Cape Horn, in December, the height of the Antarctic summer. At Deception Island they had planned to use skis, but found that the snow had melted in many spots and the ice which had been hoped for as a landing field did not exist.

The only course open was to build a landing field on the rocky shores of the island. This was decided on after Eielson skillfully managed to escape with his life when the Lockheed, the same which flew the top of the world, dropped through the ice, to be saved only when the outspread wings held.

For two weeks the party labored clearing rocks, some snow, from the projected landing field. The friendship of Eielson and Crosson was ripening in the rugged labors of the far south. Crosson got little chance to fly, but he was always on hand to help "gas" the planes, give a balky motor a few extra turns.

The landing field was primitive at the best—even worse than the one at Point Barrow. Not only rough, it had two turns, two ditches, and ended on an uphill grade. On a clear day late in December the weather appeared ideal for the flight projected into the unknown confines of Graham Land. For safety's sake 24 hours more were needed to clear rocks from the runway. Wilkins put the question to Eielson; he got the answer which had often been given before—"Whatever you say."

#### PILOT'S SKILL ALWAYS DEPENDABLE—WILKINS

Commenting on that take-off, which was almost as epic as the trip from Point Barrow, Wilkins said:

"I thanked God for the courage of my companion. I knew I could depend more on his skill than the weather. Our gear was packed into the plane—Eielson warmed the motor.

"It took us time to gather speed. We experienced a great bump as the ship hit the first ditch. Then we went down a hill, plowed through a snow bank, hit the next ditch, and bounced into the air for a moment. As we approached the hill the plane gathered speed. When we reached the hilltop the plane left the ground. Eielson had clung to the controls against terrific handicaps and had once more shown his consummate skill."

The flight resulted in a journey of 1,200 miles across Graham Land, a trip that would have taken them to the pole and back had Wilkins so desired. His venture was an attempt to find possible land for meteorological stations.

The one important discovery was the determination that Graham Land was not a continent, as had been supposed, but a series of islands, separated by straits. About 40,000 square miles was chopped off the Antarctic Continent as the result of the exploration.

With the storms of the Antarctic autumn approaching and the rigors of winter not far away, the party set sail up the west coast of South America, bound for the United States, arriving in February. Another round of dinners and greetings faced Eielson, who in the meantime had been awarded the distinguished-flying cross by the United States Government. It was presented to him by F. Trubee Davison, Assistant Secretary of War, in charge of aviation. In making the presentation, an acknowledgment of the 1928 polar hop, Davison said: "You completed one of the most extraordinary accomplishments of all time."

#### HOOVER GIVES HIM 1928 HARMON AWARD

It was on April 8, 1929, less than a year ago, that highest possible recognition was given to Eielson for his work as Wilkins's pilot on the Point Barrow to Spitzbergen flight. He was awarded the Harmon trophy for 1928, the presentation being made on the White House lawn by the newly inaugurated President Hoover. The award is given annually to the aviator who is regarded to have achieved the most valuable scientific work in the year before. The 1927 award was made to Colonel Lindbergh for his New York to Paris trip.

In order that outstanding work might be recognized, the award was created by Clifford Harmon, pioneer aviator and now president of the International League of Aviators. Selection of winners is made by a board whose identity is not announced.

While in the East Eielson completed financial arrangements for the dream which he had cherished in the last two years. Inspired by his work, which made aviation seem equally as feasible in Alaska as anywhere else, four independent firms had begun operating air lines. Now, if the venture was to be truly successful, these four major lines would have to be merged. Mergers were gaining momentum and the powerful Aviation Corporation of Delaware was interested—said it would think the matter over.

Just before going East Eielson had completed another tour as the guest of several cities in the State. The largest gathering was held at

Grand Forks, where residents, students of the State university, and State officials gathered to again express their appreciation of the work which he was doing.

Governor Shafer, at a banquet attended by nearly 500, paid the flier the biggest honor which it was in his power to convey as the State's chief executive. He made Eielson the head of his honorary staff with the rank of colonel.

While at Grand Forks Eielson was asked to turn the first spade of dirt in the new Wesley College building which had been donated by John Hancock, another of the distinguished alumni of the Flickertail School. The school also paid him another tribute personally in the form of recognition of his election to the "Who's Who" of university alumni. Wisconsin had also paid him a similar honor, although he had been a student there for less than a semester.

#### SPENDS TIME "JUST LOAFING WITH DAD"

Eielson went back to his home at Hatton to spend "several weeks just loafing around with dad."

The pleas from Wilkins to again accompany him to the south continued. Eielson's mind was made up. "This exploration is a fine thing, interesting," he said. "But you can't live on glory and medals in your old age, and I'm going to start out and make some money. I'm going back to Alaska."

In August Eielson came to Fargo from his home at Hatton, spent a day with friends here and then left for Seattle, the jumping-off place on trips to Alaska.

In Alaska Eielson found popular sentiment in favor of the merger, and by September 22 it had been completed—Alaskan Airways (Inc.) had become a fact. It was a subsidiary of the Aviation Corporation of Delaware, and, under the terms of the agreement, Eielson was vice president and general manager. He was ready to start toward his goal of "some real money."

The Alaskans greeted the new concern with joy.

They were glad to see at its head their national hero—a man who had flown some 60,000 miles in the Arctic and the Antarctic; a man who had to take a back seat for none when it came to cold-weather flying.

Business for the company was fair, he wrote to his folks at Hatton October 12.

#### AFTER SIX YEARS IT'S STILL INTERESTING WORK

"This is sure an interesting place to fly in"—that after six years of it.

The work, according to his letters, included the hauling of doctors to sick persons, sick persons to doctors, long treks across the tundra that reindeer-herd owners might see how their flocks were faring; hauling luxuries, snuff, and tobacco to inland, isolated miners; the occasional rescue of a stranded prospector; in fact, bringing help to any that needed it and could get it by air.

Late in October the fur-carrying vessel *Nanuk* wirelessed to the mainland that it was ice locked; would a plane come and take the cargo of passengers and furs to the mainland? On board were 16 persons and a million dollars' worth of furs which had been picked up along the northern Siberian coast. Alaskan Airways would tackle the job; Eielson said he would lead the expedition.

Early in November he hopped from Teller in a Hamilton all-metal monoplane, wheel equipped, for North Cape. Frank Dorbandt followed in another plane. The trip was a success; Eielson brought out six passengers, Dorbandt a thousand pounds of precious furs.

He reported the trip laconically, in typical manner, to his employers. "It will take five or six trips," he wired. News of his hero act was not made known until November 14. On November 18 wires came out of Alaska expressing fears for his safety; he had been lost since November 9.

"Eielson lost?"

#### ALASKANS THOUGHT HE WOULD SHOW UP—SAFE

The idea had been pooh-poohed by Alaskans for 10 days—a storm might have forced him down, as it did Dorbandt when he attempted to follow. But Ben Eielson would show up safely as he always did.

By November 20 fellow pilots began their rescue-work organization at Teller, but the storms had grown worse; the Arctic night was almost upon them.

Among the first to go to his aid was Joe Crosson, who, in two jumps by plane, landed in Teller after leaving San Diego, Calif. If his pal of the Antarctic was to be found, Joe Crosson was going to be the first to try and locate him.

Weather, a light plane which he had to use when his larger ship crashed in a take-off, handicapped Crosson, but on December 20 and 21, he, with Harold Gillam, managed to reach the *Nanuk*. There they have been since with but a few hours a day of twilight to work by; many of those days filled with swirling Arctic snow or fog or both.

The search for Eielson will continue without thought of expense, the Aviation Corporation says, but if need be it is going to be continued longer than that—by his pals, Crosson, Gilliam, Ed Young, and the others.

WILKINS'S TRIBUTES TO BEN EIELSON  
(Excerpts from his book, *Flying the Arctic*)

Ben Eielson, in the depths of an Alaskan winter, had used planes for carrying mail, and for transporting sick and suffering prospectors from outlying posts. These men would have suffered untold agony, if not death, had not Eielson come to their aid.—On Eielson's use of a plane in the far north.

Fortunately, very early in the history of the expedition, I fell in with Lieut. Carl Ben Eielson—he was keenly interested in flying in the Arctic. In Eielson I recognized a man who would trustfully serve our purpose and a man capable, dependable, and companionable.—On hiring Eielson.

I had early made up my mind that Eielson was the best fitted man for that work.—Long-distance Arctic flying.

It was my first flight with him, and I was glad to see that he was a cautious, steady, reasoning pilot—just the type for the work at hand.—On his first flight with Eielson.

With great coolness and skill Eielson steadied the machine, righting her to an even keel and an easy glide. The plane swerved and pitched in the storm, but Eielson, still calm and cool, corrected with controls each unsteady move.—On the forced landing north of Point Barrow from which they walked for 17 days to reach land.

One of the best traveling companions I have ever had will carry as long as he lives a constant reminder of 18 strenuous days.—On the amputation of Eielson's little finger.

We all knew Eielson as an expert pilot and I would have staked my life as safe with him in any type of machine.—On Eielson's trial flight in a Lockheed plane.

I thanked God for the understanding of the man who had designed her: for the honest, conscientious men who had built her and for the skill and wisdom of the man—Eielson—at the controls.—On the take-off from Point Barrow on the hop to Spitzbergen.

Eielson's cool skill and valuable training demonstrated their worth. With the engine full on she bucked like a broncho, but Eielson never losing the upper hand held and guided her splendidly.—On the handling in the storm at Spitzbergen.

Senate Joint Resolution 155, Seventy-first Congress, second session  
IN THE SENATE OF THE UNITED STATES,  
January 6 (calendar day, March 19), 1930.

Mr. NYE introduced the following joint resolution; which was read twice and referred to the Committee on Public Lands and Surveys:  
Joint resolution to provide for the naming of a prominent mountain or peak within the boundaries of Mount McKinley National Park, Alaska, in honor of Carl Ben Eielson

*Resolved, etc.,* That a mountain or peak, unofficially known as Copper Mountain, located at the headwaters of the Mount McKinley River, lying in a northeasterly direction from Mount McKinley in the Mount McKinley National Park, Alaska, is hereby permanently named Mount Eielson in honor of the pioneer work in aviation performed in Alaska and the north by Carl Ben Eielson.

FAIRBANKS, ALASKA, March 21, 1930.

Senator GERALD P. NYE,  
Washington, D. C.:

Greatly appreciate your action resolution to change name Copper Mountain to Mount Eielson as fitting tribute to memory of Colonel Eielson. This will be more than name on map, as foot this mountain and near point where Eielson landed first plane in McKinley Park marks proposed terminus of tourist automobile road and location of proposed summer hotel. Eventually thousands of tourists will visit this place each year, and no doubt the hotel and completed highway will be named after Colonel Eielson.

Doctor DELAVERGNE,  
Mayor Fairbanks.  
FAIRBANKS COMMERCIAL CLUB.  
PIONEERS OF ALASKA.  
FRATERNAL ORDER OF EAGLES.  
BENEVOLENT AND PROTECTIVE ORDER OF ELKS.  
MASONIC LODGE.  
INDEPENDENT ORDER OF ODD FELLOWS.  
LOYAL ORDER OF MOOSE.

SITKA, ALASKA, March 24, 1930.

Senator GERALD P. NYE,  
Washington, D. C.:

Your resolution introduced in Congress changing the name of Copper Mountain in McKinley Park to Mount Eielson is heartily indorsed by the members of Sitka Post, No. 13, American Legion.

W. M. COOK, Commander.

FAIRBANKS, ALASKA, March 25, 1930.

Senator GERALD P. NYE,  
Senate Office Building, Washington, D. C.:

The Alaska Agricultural College and School of Mines hereby adds its support to your resolution to change the name of Copper Mountain to Mount Eielson and appropriate recognition by Congress of the distinctive service of so worthy a citizen, who through his courage and ability attained world renown.

CHARLES E. BUNNELL, President.

KETCHIKAN, ALASKA, March 25, 1930.

Senator GERALD NYE,  
United States Senate, Washington, D. C.:

Ketchikan Post, No. 3, American Legion unanimously indorses your resolution rename Copper Mountain Mount Eielson.

Commander R. R. SPAETH,  
Ketchikan Post, No. 3, American Legion.

JUNEAU, ALASKA, March 23, 1930.

Senator NYE,  
Chairman Public Lands Committee, Washington, D. C.:

The Alford John Bradford Post, No. 4, the American Legion, indorses your bill to change the name of Copper Mountain in Mount McKinley Park to Mount Eielson.

C. H. HELGESEN,  
Post Commander.

NOME, ALASKA, March 23, 1930.

Senator NYE,  
Senate Chamber, Washington, D. C.:

The people of Seward Peninsula appreciate and offer thanks for your resolution naming Mount Eielson an historical monument to one of Alaska's greatest flyers.

NORTHWESTERN ALASKA CHAMBER OF COMMERCE.

CORDOVA, ALASKA, March 22, 1930.

Senator GERALD NYE,  
Washington, D. C.:

John W. Jones Post, American Legion, Cordova, Alaska, extends unqualified indorsement your resolution to change name of Copper Mountain, in McKinley Park, to Mount Eielson as fitting tribute to memory of Carl Ben Eielson, the pioneer blazer of air trails in Alaska.

Commander DALTON L. BARR,  
F. A. JONES, Adjutant.

ANCHORAGE, ALASKA, March 22, 1930.

Hon. Senator GERALD P. NYE,  
Washington, D. C.:

Citizens Anchorage extend to you their thanks for your thoughtful resolution to name Copper Mountain, in McKinley Park, Mount Eielson. It is a fitting tribute to the memory of one of Alaska's great men.

ANCHORAGE CHAMBER OF COMMERCE.

FAIRBANKS, ALASKA, March 21, 1930.

Senator NYE,  
Chairman Public Lands Committee, Washington, D. C.:

Dorman H. Baker Post, the American Legion, humbly petitions that the name of Copper Mountain in McKinley National Park be changed to Mount Eielson in memory and honor of Carl Ben Eielson, father of aviation in Alaska, a noted explorer and defender of his country. Colonel Eielson landed first airplane in McKinley Park at foot of Copper Mountain.

DAVID ADLER, Adjutant.

FORESTS PRODUCTS LABORATORY, UNIVERSITY OF WISCONSIN

Mr. LA FOLLETTE. Mr. President, I ask the indulgence of the Senate for a moment to explain a situation that is quite urgent in character concerning the Forest Products Laboratory at the University of Wisconsin.

As is well known to many Senators, the Forest Products Laboratory has been in existence for a number of years. It was first established at the University of Wisconsin with a small appropriation and a small force. Its work, however, was so practical in character, it performed such excellent service to the industries that are engaged in the use of wood and wood products, that it was materially expanded during the war.

At the time it was established the University of Wisconsin provided the buildings to house the activities of the laboratory; but the work of this institution is so important, it has performed such valuable service in the matter of conserving timber products and by-products, that it became necessary to expand its operations until the building provided by the university is no longer adequate. In the meantime the University of Wisconsin has been growing very rapidly, until to-day the institution is very much in need of all available facilities.

On the calendar day of February 8 I introduced a bill to authorize the appropriation of the necessary money to build a new building to house the Forest Products Laboratory on land which will be donated by the University of Wisconsin. The measure went to the Committee on Agriculture and Forestry, and was reported back by the chairman unanimously, with a very enthusiastic indorsement from the Secretary of Agriculture, under whose general supervision the work at the laboratory is being done.

I desire to be entirely frank about the situation, Mr. President. This bill is now on the calendar. If I can get unanimous consent for action upon it at this time, it will then be germane and in the regular order under the rules for me to offer an amendment to the pending appropriation bill. I therefore ask unanimous consent for the immediate consideration of Senate bill 3487, Order of Business No. 221.

The PRESIDING OFFICER (Mr. JONES in the chair). The Senator from Wisconsin asks unanimous consent for the present consideration of a bill which will be read by the clerk.

The Chief Clerk read the bill (S. 3487) to provide for the acceptance of a donation of land and the construction thereon of suitable buildings and appurtenances for the Forest Products Laboratory, and for other purposes, as follows:

*Be it enacted, etc.*, That the Secretary of Agriculture is hereby authorized to accept on behalf of the United States from the regents of the University of Wisconsin a donation by deed of conveyance satisfactory to the United States of such tract or tracts of land as in his judgment may be suitable as a site for a building or buildings for the Forest Products Laboratory, and to pay from the appropriation herein authorized all costs incident to examining, transferring, and perfecting title to said land: *Provided*, That the deed of conveyance may provide for a reversion of title to the University of Wisconsin if and when the United States no longer uses said land for the purpose of a forest-products laboratory, and upon such reversion the United States shall have a reasonable time within which to remove or otherwise dispose of the buildings and other improvements constructed by it on said lands.

SEC. 2. The Secretary of Agriculture is hereby authorized to cause to be planned, by contract or otherwise, and to construct at Madison, Wis., on said land, such fireproof building or buildings as in his judgment may be suitable for the use of the Forest Products Laboratory of the Forest Service, with modern equipment for laboratory tests and experiments, including the moving and installation of existing equipment and the purchase and installation of necessary new equipment, the making of steam, sewer, water, gas, electrical, and other connections, and the construction of such railway sidings, roadways, sidewalks, and approaches as may be required.

SEC. 3. For the purpose of carrying out the provisions of this act there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$900,000.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. McNARY. Mr. President, I have no objection. I think it is quite proper to consider it, so that it may have the status that will fit itself into the appropriation bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### LANDS IN CUSTER COUNTY, NEBR.

Mr. NYE. Mr. President, from the Committee on Public Lands and Surveys I report back favorably House bill 3657, to quiet title and possession with respect to certain lands in Custer County, Nebr. This is a bill in which the Senator from Nebraska [Mr. NORRIS] is interested; and I ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the report will be received.

Mr. NORRIS. Mr. President, this bill merely quiets title to certain public lands. A mistake was made originally in the action that was taken. It is necessary that the bill be passed in order to meet a contingency that exists in litigation there; and it will have to be passed to-day in order to meet that contingency.

Mr. McNARY. I have no objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

*Be it enacted, etc.*, That all right, title, and interest of the United States in and to the lands situated in Custer County, Nebr., described as follows: Lot 4, section 14, township 18 north, range 17 west, sixth principal meridian, be, and the same are hereby, released and relinquished by the United States to the respective owner or owners of the equitable title and to their heirs and assigns.

SEC. 2. Nothing in this shall in any manner abridge, divest, impair, injure, or prejudice any valid right, title, or interest of any person or persons in or to any portion or part of the lands mentioned in the said first section, the true intent of this act being to relinquish and abandon, grant, give, and concede any and all right, interest, and estate, in law or equity, which the United States is or is supposed to be entitled to in said lands, in favor of all persons, estates, firms, or corporations who would be the true and lawful owners of the same under the laws of the State of Nebraska, including the laws of prescription in the absence of the said interest and estate of the United States.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### ENFORCEMENT OF PROHIBITION—VIEWS OF JAMES HAMILTON LEWIS

Mr. WAGNER. Mr. President, I ask unanimous consent that there be printed in the RECORD a very interesting article by a former Member of this body, Hon. James Hamilton Lewis, on the subject of prohibition, replying to Mr. Arthur Evans, of the Chicago Tribune.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

I answer your question, Mr. Evans, as to what is the true issue in the prohibition contest by saying that at Washington, where I am to-day as one of the counsel in the final arguments of the drainage district lake level cases before the Supreme Court of the United States, I see the need to state the real issue. It is obscured or misrepresented in the congressional hearing, as it is before the people at large.

The real issue is not drink or not to drink, it is not saloon or no saloon, it is not "wet" or "dry" on the prohibition by law. The question is, Shall the Federal Government by an amendment to the Constitution prevent the citizen from deciding for himself prohibition or no prohibition, temperance or no temperance, drink or no drink, and enforce his decision by the laws of his own making? Then shall he have the right to execute his temperance laws by officers of his own choosing that he may hold them responsible for the omission in duty or the commission of lawlessness under the cloak of office.

Tersely stated, the voting issue is, Shall the prohibition amendment be so changed and the Volstead Act under it so administered as to leave to the citizen to decide in his own family or by the voice of his home government the method and manner of enforcing temperance or the punishment of its violations by such method as the citizen himself in the locality where he lives, shall declare as fitting?

I now invite to notice that the vice in the administration of the national prohibition amendment is the deliberate refusal of the Government administration to recognize the law as stated in the amendment itself permitting the States to administer the enforcement of the act.

I call attention that in the amendment itself there is the provision that gives to the States the thing we who are opposing the present method of administration of the national prohibition law insist upon.

I now inform the public through this interview that when the eighteenth amendment was presented to the Senate I was leading an opposition to it on the ground that the matter of one's drink, food, school, and religion should, whenever supervised under law, be the subject of the local law of the home county or State where the citizen lives who is to be the object of the enforcement.

I opposed the amendment on the ground that the United States Government should not assume fifteen hundred miles from the ballot of the citizen or his voice to administer moral control over him through officers never selected at the ballot box nor by the citizen chosen in the selection or as to whom he has no authority to employ or dismiss—indeed, neither the opportunity of knowing who they are. I opposed the amendment upon the ground that it violated the principle of our Republic.

Yet at the same time I am one of the men who led the fight in behalf of the local privilege for prohibition in the District of Columbia, where Washington is situated, and for right of prohibition in the localities under the control of the Federal Government.

I now further invite my State to know that Senator MORRIS SHEPARD, of Texas, one of the able brains and one of the great moral characters supporting the prohibition law, was the author of the eighteenth amendment. He stood on the floor of the Senate, and, in reply to my opposition to the amendment bravely asserted: "I stand for state-wide, nation-wide, world-wide prohibition."

I am the Senator who insisted that the amendment should not be voted upon until the close of the war when our people were where they could consider its merits freed from the fever and the excitement which the war had put upon them; but that if the amendment was to pass under the assumption that it was mere legislation to avoid saloons while our soldiers were passing from home to camp or from camp to field of battle that there should be attached to it as a condition the right of the States to enforce the law within the State and by the officials of the State.

Much discussion followed this proposition. In the final committee Senator SHEPPARD suggested that I prepare the proposed amendment. I have lately had correspondence with him asking that he give me the original notes which I knew he kept, as I wished to exhibit them to the people of Illinois. He kindly writes that he will locate them and put them at my service.

I wrote the phrase that is now appended to the amendment giving to the State the privilege of concurrence in the enforcement of the amendment. The words I used I copied from a decision of the Supreme Court of the United States construing these phrases as it applied to the Federal Government and the State in the control of waterways within the States, particularly the Dubuque Dam of Iowa.

Senator SHEPPARD brought to my mind the decision sustaining the similar privilege in the matter of the joint administration of the Rio Grande River by Texas and the United States. To him is due the fact that from both these decisions I brought forth the phraseology of the amendment to the constitutional amendment.

I now ask the public to see that in the amendment the very words are that the States shall have the right to concur or concurrence in the enforcement of the amendment. After this conclusion I went to war fields in France to serve up to near Armistice Day.

My protest now is that if it is wrong—as it is—for the citizen of the State to violate the provision of the national amendment as to intoxicant liquors, it is equally a violation of the amendment for the National Government to violate that part of the amendment which provides the privilege of the States to administer and enforce the constitutional amendment.

#### THE TRICK IN THE VOLSTEAD ACT

I now call attention that when the Volstead Act was written for the purpose of "enforcing the eighteenth amendment," those who devised the act shrewdly phrased it so as to take away from the State any right of concurring administration of the amendment. It also provided for the appointment of the administrators of the amendment by the Federal Government and the service of these under the Federal Government and its supervision from Washington.

Note that in this manner certain extreme gentlemen in the political plans both of the Democracy and the Republican saw the chance to name their particular adherents in their State to office and distribute them over the United States and cover them then with assumed civil service by which they could never be dismissed without turning State's evidence upon themselves.

It was this political perversion of the amendment which has caused all of our trouble. This Volstead law in this maladministration and misconstruction of the eighteenth amendment took from the State the privilege and the authority which under our form of government was the State's first privilege as recognized in the amendment and defeated the people in each State of the voice in administering the law which was provided for in the very amendment itself.

It will be remembered that when I was the nominee for Governor of Illinois Doctor McBride, of the Anti-Saloon League, though paying me compliment for what he called "seductive force over Wilson," charged me with being influential in directing the President to veto the Volstead Act. Doctor McBride, an honorable and commendable gentleman, saw that the veto of President Wilson was upon the point that the act violated the constitutional amendment under which it presumed to be justified.

It is this violation by the Federal administration of the law that has brought it to where it is, the instrument of persecution of the humble citizen, oppression of the home, the debauchery of social life, the corruption of officials, who as now administering the law have neither residence, political or personal, in the place to which they are sent, and who are not subject to the social or political life of the community to which they are sent.

All of this has led to the connivance of certain corrupt officers with the booze bandits that has brought upon our country that dishonor which has made us a world disgrace before the nations of the earth.

It is to remedy this wrong and to reform this temperance law where it may be a true temperance act, and to place it where it may be enforced, wherever necessary to be enforced by law, by the authority provided in the amendment, to wit, the concurring action of the officials of the State.

Our fellow citizens will see that as this was the purpose of the vote of America through the State legislatures when the amendment was adopted. To further refuse it, to now decline to amend the law known as the Volstead Act in such manner as shall give the amendment its

legitimate station in the States, or to decline to revise the amendment by which it may be committed to the States for enforcement is in itself the violation by the National Government of the expressed will of the people.

#### AGRICULTURAL APPROPRIATIONS

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7491) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1931, and for other purposes.

The PRESIDING OFFICER. The clerk will proceed to read the bill.

The Chief Clerk proceeded to read the bill.

The first amendment of the Committee on Appropriations was, under the heading "Weather Bureau," on page 18, line 10, to increase the appropriation for investigations, observations and reports, forecasts, warnings, and advices for the protection of horticultural interests from \$40,400 to \$50,400.

The amendment was agreed to.

The next amendment was, on page 18, line 14, to increase the appropriation for maintenance of stations, for observing, measuring, and investigating atmospheric phenomena, including salaries and other expenses, in the city of Washington and elsewhere, from \$1,370,000 to \$1,400,000.

The amendment was agreed to.

The next amendment was, on page 18, line 15, to increase the total appropriation for the Weather Bureau from \$4,058,600 to \$4,098,600.

The amendment was agreed to.

The next amendment was, on page 24, line 7, before the name "Texas," to strike out "Springs" and insert "Spring."

The amendment was agreed to.

The next amendment was, under the heading "Bureau of Dairy Industry," on page 29, line 2, after the word "exceed," to strike out "\$12,600" and insert "\$17,600," so as to read:

For carrying out the provisions of the act approved May 29, 1924 (U. S. C., title 7, secs. 401-404), establishing a bureau of dairying, for salaries in the city of Washington and elsewhere, and for all other necessary expenses, including repairs and additions to buildings and not to exceed \$17,600 for construction of buildings absolutely necessary to carry on the experiments herein authorized, as follows:

The amendment was agreed to.

The next amendment was, on page 29, after line 24, to insert the heading "Dairy and Livestock Experiment Station, Tennessee," and in line 24, to strike out "Dairy and livestock experiment station, Tennessee," so as to make the paragraph read:

#### DAIRY AND LIVESTOCK EXPERIMENT STATION, TENNESSEE

For carrying into effect the provisions of the act entitled "An act authorizing and directing the Secretary of Agriculture to establish and maintain a dairy and livestock experiment and demonstration station for the South, at or near Lewisburg, Tenn.," approved May 29, 1928 (U. S. C., Supp. III, title 7, sec. 422), \$25,000, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1930.

The amendment was agreed to.

The next amendment was, under the heading "Bureau of Plant Industry," on page 33, line 5, after the word "diseases," to strike out "\$180,000" and insert "\$200,000," so as to read:

Cotton production and diseases: For investigation of cotton production, including the improvement by cultural methods, breeding, acclimatization, adaptation, and selection, and for investigation and control of diseases, \$200,000.

The amendment was agreed to.

The next amendment was, on page 33, line 14, to strike out "\$140,000" and insert "\$160,000," so as to read:

Rubber, fiber, and other tropical plants: For investigation of crops introduced from tropical regions, and for the improvement of rubber, abaca, and other fiber plants by cultural methods, breeding, acclimatization, adaptation, and selection, and for investigation of their diseases, and for determining the feasibility of increasing the production of hard fibers outside of the continental United States, \$160,000.

The amendment was agreed to.

The next amendment was, on page 35, line 14, after the word "handling," to strike out "\$80,310" and insert "\$92,810, of which \$2,500 shall be immediately available," so as to read:

Tobacco: For the investigation and improvement of tobacco and the methods of tobacco production and handling, \$92,810, of which \$2,500 shall be immediately available.

Mr. GLASS. Mr. President, may I have the attention of the chairman of the committee for a moment?

I note on page 35, line 14, that the appropriation for the investigation and improvement of tobacco and the methods of tobacco production and handling has been increased by \$12,500. When I was before the committee I understood that it had agreed to increase that appropriation by \$25,000. May I inquire of the chairman as to that?

Mr. McNARY. Mr. President, the Senator from Virginia made a very able presentation of the matter before the committee, and it was thought probably we should increase the appropriation \$25,000. After the retirement of the Senator, however, the chairman of the subcommittee inquired of the Department of Agriculture concerning the matter; and they said that this amount was all that they could use, with that which was carried over, making about \$40,000 available. The statement was further made to the chairman of the committee that if that was not sufficient, they would ask for additional funds in deficiency bills during the year.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, on page 35, line 18, after the word "seed," to strike out "\$407,926" and insert "\$412,926," so as to read:

Sugar plants: For sugar-plant investigations, including studies of diseases and improvement of sugar beets and sugar-beet seed, \$412,926.

The amendment was agreed to.

The next amendment was, on page 36, line 25, after the word "storage," to strike out "\$1,272,000" and insert "\$1,282,000," so as to read:

Horticultural crops and diseases: For investigation and control of diseases, for improvement of methods of culture, propagation, breeding, selection, and related activities concerned with the production of fruits, nuts, vegetables, ornamentals, and related plants, for investigation of methods of harvesting, packing, shipping, storing, and utilizing these products, and for studies of the physiological and related changes of such products during processes of marketing and while in commercial storage, \$1,282,000, of which \$2,000 shall be immediately available.

Mr. HAYDEN. Mr. President, I observe that the committee has increased this amount by \$5,000 for investigations regarding date culture. I ask leave to insert in the RECORD at this point, in justification of the action taken by the Senate, a memorandum prepared by those interested in date culture in the Southwest.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered:

The matter referred to is as follows:

MEMORANDUM REGARDING NEED FOR INVESTIGATION OF THE WATER REQUIREMENTS OF THE DATE PALM

It is already clear, from work that has been done in experimental date gardens of Arizona and California, that the date palm is in a class all to itself in its water requirements and if given all it will use, requires somewhere between 10 and 20 acre-feet of water a year in the hot, dry valleys of southeastern California and southern Arizona.

It also appears highly probable that great injury may be done to old date palms through temporary water shortage because of the fact that roots of the date palm are always very slender—about half an inch in diameter—and consequently easily killed if the ground becomes too dry. No other fruit tree grown in this country has such roots, and it looks as though some of the supposed diseases of the date palm were really due to the killing of the principal roots by occasional water shortage in the subsoil. If these principal roots are killed, it will do little good to irrigate the palms abundantly since the roots are already gone and it takes several years, possibly 5 or 10 years, to develop the root system to its original extent.

During the past two or three years it has become increasingly evident that old date palms in full bearing make very heavy demands on the subsoil for water, but it is believed to be possible to work out methods of bringing back promptly into normal fruiting condition palms that have been injured by temporary water shortage and, to a certain extent at least, to prevent injury to palms that must, from one cause or another, get along on a diminished water supply.

As date plantations cost more than any other fruit orchards in America to get established, and since they are now paying a good profit on the investment in the hot, irrigated valleys of Arizona and California, it is believed to be very important to safeguard these large investments, now amounting to between \$8,000,000 and \$10,000,000 and rapidly increasing, by scientific study of the water needs of the date palm and how they can best be supplied. Fortunately date plantations under the control of the Bureau of Plant Industry are available both in Arizona and California, so that none of these funds need to be spent for purchase of land. Offshoots of the standard varieties of dates are also available in the Government plantings without charge, so that the money can be spent in developing special irrigation facili-

ties and special weirs and for supervision of the experiments, so that this small appropriation should give conclusive results within a few years.

Enough dates are now planted in California and Arizona to produce between 20,000,000 and 25,000,000 pounds of dates a year and about one-third of the amount now imported into this country. When these plantations already set out come into bearing they will represent a very large investment of capital, probably between \$10,000,000 and \$15,000,000. It is believed that the studies here outlined are absolutely necessary to protect this investment and the additional investments which are very likely to be made during the next few years not only in California and Arizona but also in extreme southern Nevada along the Colorado River and in southern Texas, especially in the Rio Grande Valley.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 38, line 22, after the word "diseases," to strike out "\$215,000" and insert "\$235,000," so as to read:

Forage crops and diseases: For the purchase, propagation, testing, and distribution of new and rare seeds; for the investigation and improvement of grasses, alfalfa, clover, and other forage crops, including the investigation and control of diseases, \$235,000.

The amendment was agreed to.

The next amendment was, on page 39, line 1, after the name "Bureau of Plant Industry," to strike out "\$5,446,786" and insert "\$5,534,286," and in line 2, after the word "exceed," to strike out "\$1,739,040" and insert "\$1,745,040," so as to make the paragraph read:

Total, Bureau of Plant Industry, \$5,534,286, of which amount not to exceed \$1,745,040 may be expended for personal services in the District of Columbia.

The amendment was agreed to.

The next amendment was, under the heading "Forest Service," on page 45, line 15, before the word "National," to strike out "Bernadino" and insert "Bernardino," so as to read:

Improvement of the national forests: For the construction and maintenance of roads, trails, bridges, fire lanes, telephone line, cabins, fences, and other improvements necessary for the proper and economical administration, protection, and development of the national forests, \$2,500,000, of which amount \$150,000 is reserved for expenditure on the Angeles, Cleveland, Santa Barbara, and San Bernardino National Forests in southern California.

The amendment was agreed to.

The next amendment was, on page 47, at the end of line 3, to strike out "\$473,000" and insert "\$513,500," so as to read:

Forest management: Fire, silvicultural, and other forest investigations and experiments under section 2, at forest experiment stations or elsewhere, \$513,500.

Mr. HAYDEN. Mr. President, I move to amend the committee amendment by striking out "\$513,500" and inserting in lieu thereof "\$523,500." The extra \$10,000 is to be used for the determination of methods of obtaining natural reforestation in the Douglas fir, western yellow pine, in the national forests of the Southwest. This is a particularly difficult problem in the Southwest because of the irregularity in precipitation and the occurrence periodically of cycles of dry years.

For example, in cuttings of Douglas fir in the national forests of the Southwest the conditions appeared to be favorable for new growth, seed was produced, soil appeared to be in a satisfactory condition, and so forth. Reproduction has not come in, however. The only solution of this problem seems to lie in research.

In the western yellow-pine forest reproduction sometimes comes in satisfactorily and in other cases does not. It is not possible with present resources to make the intensive attack on this problem that is required and to determine the fundamental climatic and other causes which result in failure, and likewise those which insure success.

This increase of \$10,000 would also make it possible to cooperate with the University of Arizona in a study of the influence of climate and other factors upon tree distribution and development.

Mr. McNARY. Mr. President, is it the Senator's purpose to ask for sufficient funds for the Department of Agriculture so that the Forest Service may establish an experiment station in the southwestern part of the country?

Mr. HAYDEN. I merely want the Department of Agriculture to have this extra fund so as to be able to make this study.

I understand the situation with respect to a forest experiment station. The Southwest is supposed to have one established in due course of time, although we seem to be very far down on the list. But the Forest Service now has not a sufficient number of technical men who can make this kind of study. I have a telegram from the president of the University of Arizona advocating an appropriation of this kind, which I would like to have inserted in the RECORD at this point.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

TUCSON, ARIZ., February 8, 1930.

Senator CARL HAYDEN,

United States Senate, Washington, D. C.:

Program of research on range problems, erosion, and forest conservation of greatest economic importance to our future because of the intimate relationship of our range and forest problems to the silting of our reservoirs and our agricultural future. A moderate investment in investigation should make unnecessary ultimate enormous expenditure to overcome harmful effects of faulty practices. Research at this time to determine a safe policy will avoid the necessity of locking door after horse is stolen.

H. L. SHANTZ, *President.*

Mr. McNARY. Mr. President, is the Senator from Arizona able to produce an estimate of the Budget or a recommendation from a standing or special committee of the Senate?

Mr. HAYDEN. I am not, but the appropriation is authorized by a law which bears as one of its coauthors the name of the distinguished chairman of the Committee on Agriculture and Forestry, the McNary-McSweeney Act. I would like to point out to the Senate that Congress is not appropriating funds in accordance with the schedule set up in that act. I think the Senator in charge of the bill will concede that under the general authorization in that act Congress has not made appropriations as planned and authorized.

Taking the Forest Service as a whole, with respect to the McNary-McSweeney Act, the financial program set out in the act calls for an increase of \$326,000 annually for the Department of Agriculture during the first three years of the life of the act, or a total of \$978,000.

The fiscal year 1930-31 will be the third year of the act. The appropriation for the first two years and that allowed in the agricultural bill now pending in the Senate for the third year total \$622,436 for the entire department. This means that appropriations for the department will have fallen behind the program by \$355,564 in three years.

The same figures for the Forest Service sections of the act are: Planned, \$270,000 for three years, \$710,000; appropriations plus Senate bill, three years, \$526,620; appropriations below program, \$183,380.

Therefore there is slack in the authorization made in the McNary-McSweeney Act of \$183,380, and I am asking that \$10,000 of the slack be taken up.

Mr. McNARY. Mr. President, the statement of the Senator is appealing, and the project is worthy, and I hope in a short time that all this slack will be taken up and that we will be appropriating according to the authorization. But I made a promise some weeks ago on the floor of the Senate, in conformity with the action of the Committee on Appropriations, that I would object to all items which do not fall within the rule. I can not make an exception, however much I would like to do so personally. As chairman of the Committee on Agriculture, in charge of this bill, I must invoke the rule against the Senator's amendment, and I submit the matter to the Chair.

Mr. HAYDEN. Mr. President, I would like to be heard on the point of order. Congress has authorized a series of appropriations year after year of maximum sums of money, and the agricultural appropriation bill does not carry up to that amount. The amendment I have offered comes within the text of the authorizing act. I am not attempting in any manner to change the text or purpose of that act. I am merely seeking to change the amount. Is not an amendment increasing a proposed appropriation, when authorized by law, in order?

The PRESIDING OFFICER. The Chair is inclined to think it is. The Chair rather regrets to have to overrule the point of order, but under the rule, if an amendment is made pursuant to law or is authorized by law, under the rules of the Senate such an amendment is in order.

Mr. McNARY. Irrespective of whether an estimate has been made?

The PRESIDING OFFICER. Irrespective of whether an estimate has come down from the Budget. That is one of the three bases for holding an amendment in order—that it is pursuant to an authorization. The Chair will have to overrule the point of order.

Mr. HAYDEN. Mr. President, the chairman of the committee will concede, I am sure, that the appropriations in this bill for these forestry purposes are not as great as are authorized by law. He is familiar with the act which bears his name, and I have placed in the RECORD accurate figures to show that my contention is true.

Mr. McNARY. I do not oppose the project on its merits. I only saw fit to invoke the rule which I thought was applicable. If the Senator desires to press his amendment, I have no objection to it, speaking for myself personally.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Arizona.

The amendment was rejected.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. HAYDEN. Mr. President, I had intended to offer another amendment. Must the Senate first dispose of committee amendments?

The PRESIDING OFFICER. Committee amendments are to be disposed of first. The clerk will state the next amendment.

The next amendment was, on page 47, at the end of line 10, to strike out "\$620,000" and insert "\$635,000," so as to read:

Forest products: Experiments, investigations, and tests of forest products under section 8, at the Forest Products Laboratory or elsewhere, \$635,000.

The amendment was agreed to.

The next amendment was, on page 47, at the end of line 14, to strike out "\$25,000" and insert "\$50,000," so as to read:

Forest economics: Investigations in forest economics under section 10, \$50,000.

The amendment was agreed to.

The next amendment was, on page 47, line 15, after the word "expenses," to strike out "\$11,910,730" and insert "\$11,991,230," so as to read:

In all, salaries and general expenses, \$11,991,230; and in addition thereto there are hereby appropriated all moneys received as contributions toward cooperative work under the provisions of section 1 of the act approved March 3, 1925 (U. S. C., title 16, sec. 572), which funds shall be covered into the Treasury and constitute a part of the special funds provided by the act of June 30, 1914 (U. S. C., title 16, sec. 498): *Provided*, That not to exceed \$470,076 may be expended for departmental personal services in the District of Columbia.

The amendment was agreed to.

The next amendment was, under the subhead "Acquisition of additional forest lands," on page 49, line 11, after the word "secs.," to strike out "552-563" and insert "513-519," and in line 12, after the word "secs.," to insert "515," so as to read:

For the acquisition of additional lands under the provisions of the act of March 1, 1911 (U. S. C., title 16, secs. 513-519), as amended by the act of June 7, 1924 (U. S. C., title 16, secs. 515, 564-570), subject to the provisions of the act of April 30, 1928 (45 Stat. 468), \$2,000,000, of which amount not to exceed \$35,940 may be expended for departmental personal services and supplies and equipment in the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 49, at the end of line 17, to increase the total appropriation for the Forest Service from \$15,703,730 to \$15,784,230.

The amendment was agreed to.

The next amendment was, under the heading "Bureau of Chemistry and Soils," on page 53, at the end of line 1, to strike out "\$185,000" and insert "\$160,000," so as to read:

Soil-erosion investigations: To enable the Secretary of Agriculture to make investigation not otherwise provided for, of the causes of soil erosion and the possibility of increasing the absorption of rainfall by the soil in the United States, and to devise means to be employed in the preservation of soil, the prevention or control of destructive erosion, and the conservation of rainfall by terracing or other means, independently or in cooperation with other branches of the Government, State agencies, counties, farm organizations, associations of business men, or individuals, \$160,000.

Mr. HAYDEN. Mr. President, the report of the House Committee on Appropriations discloses that the House of Representatives appropriated \$25,000 for a soil-erosion station in the Pacific Northwest. The published hearings before the Senate Committee on Appropriations—and unfortunately I was in the West and could not be present—make it evident that there was considerable discussion with respect to the necessity for not only the station in the Pacific Northwest but for stations

elsewhere in the United States, particularly in the Southwest, in Arizona, New Mexico, and southern California.

The report of the Senate Committee on Appropriations states that this increase of \$25,000 allowed by the House is recommended to be stricken from the bill. If the Pacific Northwest does not want a soil-erosion station, certainly we would like to have that sum of money expended for the same kind of investigational work in Arizona, New Mexico, and southern California. I want to inquire of the chairman of the Committee on Agriculture whether the Pacific Northwest is willing to surrender this \$25,000, since that station is not desired, and allow the same character of work to be undertaken in the Southwest?

Mr. McNARY. Mr. President, the Pacific Northwest has not been consulted about the matter. I will state briefly the action of the subcommittee.

There are several similar stations required in various sections of the country, and the committee thought that in all fairness they should not appropriate for the Northwest project until a study had been made by the Department of Agriculture and an actual survey of the needs of the country had been made and reported to Congress the next year, to be carried in the annual appropriation bill, including the suggestion of the Senator from Arizona.

Mr. HAYDEN. Mr. President, let me make this observation: That while such a plan as suggested by the Senator from Oregon is, upon its face, undoubtedly fair to all sections of the country and entirely laudable, it is impracticable.

The Department of Agriculture does not possess the required number of technical men to establish and commence carrying on the work in a large number of soil-erosion stations, if located in various regions throughout the United States. We must follow the same policy that has been adopted with respect to the McNary-McSweeney forestry experiment stations. Let them be established one at a time, and as trained personnel is acquired, then expand the work. If we can not have a station for Arizona, New Mexico, and southern California, I hope the Senate will disagree to this amendment, and allow the station to be established in the Pacific Northwest, in order that young men may be trained there, so that from that station ultimately we can obtain the personnel needed in other sections of the country. I think it is a great mistake for the Senate to take this action, but if the Senate Committee on Appropriations has stricken this item out of the bill because the Pacific Northwest does not want a station located in that part of the United States, I repeat, we would like very much to have the amount remain in the bill, with the understanding that it will be expended for a like purpose in our southwestern country.

Mr. McNARY. Just a word. The committee did not strike out the appropriation for the station in the Northwest, because it thought it was not needed, but rather graciously the representatives of the Northwest indicated that they did not want to have a station there when there were clamors from other sections of the country, and it was thought best for the department to make a survey in order to determine those most needed, and handle one or two stations next year. That was the reason why the appropriation was stricken out, solely because to promote a survey so as to determine where these erosion stations should be located.

Mr. HAYDEN. Mr. President, may I point out, in that connection, that the McNary-McSweeney Act authorizes the establishment of over a dozen forestry experiment stations, of which up to the present time I believe 7 have been established, 1 for the Allegheny region at Philadelphia, 1 for the Appalachian section at Asheville, a southern station in New Orleans, 1 for the Central States in Columbus, Ohio, 1 for the Lake States and adjoining States in St. Paul, a California forestry experiment station established last year at Berkeley, and the northwestern forestry experiment station at Portland. That activity of the Department of Agriculture is proceeding with a gradual increase each year.

The great Southwest, whose climate is so different from that of the rest of the United States, has in that regard up to this time been completely and totally neglected. I am not specifically complaining about that, but the House proposal is not only to continue the northwestern forestry experiment station but to add a soil experiment station in the Pacific Northwest also. If the Senators from that section of the country do not want that station, permit me to seriously suggest to the Senate that the committee amendment be disagreed to, with the understanding that the \$25,000 can be used for a soil-erosion station in Arizona, New Mexico, or southern California.

In that connection I want to point out the very great need there is for this kind of work, particularly in the Southwest. Twenty-five thousand dollars, if used only in Arizona and New Mexico, would provide for investigations of erosion control through range management on the watersheds of these States.

Vegetation is the main means for control of erosion on forest and range lands, which form the watersheds for irrigation reservoirs in the Southwest. Drought and overgrazing have so depleted vegetative cover that large areas now support only from one-fifth to one-third the vegetation the soil is capable of producing. The breakdown of the vegetation has allowed the torrential rains of the region to carry away the rich topsoil, reducing the productive capacity of the soil and making reestablishment of the vegetative cover difficult.

Not only are irrigation and other reservoirs silting up more rapidly than is advisable but great damage results from floods coming into valleys carrying heavy accumulation of gravel onto agricultural lands and cutting out the farm lands along the stream courses. Approximately 100,000 acres of agricultural lands in mountain valleys have been destroyed in Arizona and New Mexico. Erosion conditions generally in the Southwest are becoming more serious yearly.

The Salt River reclamation project in Arizona is especially important. Over one-fifth of Arizona's population live in this valley. Nearly 300,000 acres are irrigated. Estimates place the farm and urban property values in the Salt River Valley at \$250,000,000, and the crops, livestock, and power annually produced from the project at \$35,000,000. Adequate water storage is essential to the maintenance of this investment. On the basis of the above estimates every acre of the Roosevelt Reservoir watershed, the main storage basin of the project, has a dependent investment in the valley of \$67 and a yearly agricultural and power production value of \$9. Every effort should be made to reestablish the vegetative cover on these valuable watersheds.

The erosion situation affecting the Elephant Butte project in New Mexico is equally important. Not only is silting of the reservoir serious but depletion of soil and forage values on range lands immediately adjacent to the valley is more severe and erosion is more acute. Washes, often less than 15 miles long, are carrying such heavy loads of gravel onto irrigated lands and doing so much damage to roads, irrigation works, and other improvements that they are causing grave concern to the communities. Engineering works suggested for temporary aid in controlling the situation at Las Cruces alone have been estimated to cost \$100,000. Even this will not prove effective unless erosion can be stopped at its source on the slopes.

Research is needed to determine, first, what vegetative cover is most effective in preventing erosion and regulating run-off under the dry southwestern conditions; second, how this vegetative cover can be restored by total protection from grazing, by grazing practices which favor rapid recovery, and by artificial reseeding or replanting range areas; and, third, how the restored vegetative cover can be maintained as an effective erosion protective agency either under grazing regulation or complete protection.

Of \$25,000 for California alone that sum could be used to great advantage to determine the influence of chaparral, brush, and forest cover upon stream flow and erosion and for the determination of the most effective methods for controlling erosion and regulating stream flow.

Water is the most valuable natural resource in California because agriculture is wholly dependent upon irrigation. The area of tillable land far exceeds the available supply of irrigation water. The water-supply problem is probably more acute in the southern two-thirds of the State than in any other section of the country and is being accentuated by increasing population. The water tables in the southern California valleys and in the San Joaquin Basin have been falling steadily under increasing rural and urban demands. Irrigation water is now being pumped in those regions from wells 500 feet deep. Apparently the limit of supply has been reached in many places. It is vitally important that all of the watersheds in the California mountains be so handled as to deliver a maximum of water in usable form.

Inseparably linked with the conservation of water supplies are the problems of flood and erosion control. There is every reason to believe that the amount of erosion has been increasing rapidly as the original vegetative cover has been disturbed or destroyed by fires and otherwise. Reservoirs are silted up, rich agricultural lands are completely buried and destroyed, silt-laden waters clog the interstices in the outwash fans at the foot of the mountains, and water instead of penetrating and becoming available for later pumping runs to the sea. Single storms cause damages running into millions of dollars.

The Federal Government is particularly responsible because many of the watersheds involved are contained almost entirely in national forests, national parks, and national monuments. In such lands alone, omitting altogether military and Indian reservations, the Federal Government is withholding from pro-

tective measures which might otherwise be applied by the State or private interests, in Arizona, 12,149,207 acres, or 16.7 per cent of the total area of the State. In New Mexico the withheld areas total 8,537,791 acres, or 10.9 per cent of the State. And in California the Federal Government is permitting unchecked erosion and destruction of fertility upon its reserved lands amounting to 20,266,127 acres, or exactly one-fifth of the entire area of the State.

The effect of overgrazing upon the open ranges and the national forests is universally recognized to be detrimental, yet we do not know just what should be done to properly regulate grazing so as to prevent the loss of this tremendously valuable surface soil. I can not conceive of any expenditure that Congress could make of a scientific and investigational nature which would be more valuable to the livestock interests in the great area of country that begins at about San Antonio, Tex., and extends across the western part of that State through New Mexico and Arizona into southern Colorado, Utah, Nevada, and southern California.

That is a region where there is a great fluctuation from year to year in rainfall, where the ground becomes as dry as powder and then some tremendous cloudburst may occur to wash away the surface soil. The conditions are so different from those that exist in any other part of the United States that I urge the Senate to disagree to the committee amendment with the understanding that the \$25,000 will be available for soil-erosion investigations in our southwestern country.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

#### TARIFF RATES

Mr. SMOOT. Mr. President, I wish to refer to a tabulation inserted on page 6015 of the CONGRESSIONAL RECORD of March 24, 1930, showing reductions in rates of duty by the Senate Committee of the Whole as compared with H. R. 2667 as passed by the House of Representatives.

I stated, as shown on page 6012 of the RECORD, that the equivalent ad valorem rates provided in Schedule 1—chemicals, oils, and paints—under the act of 1913 was 16.09 per cent; under the act of 1922, 28.92 per cent; under the bill as it was passed by the House, 31.82 per cent; under the bill as reported by the Finance Committee, 29.37 per cent; and under the bill as it will be voted upon by the Senate, 30.95 per cent.

Following my statement, the senior Senator from Mississippi [Mr. HARRISON] said:

Will the Senator also put in the RECORD at this point the figures which he has showing that in Committee of the Whole the so-called coalition, when it got through with the matter, had reduced the rate to 13.37 per cent.

Mr. President, I wish to point out that the tabulation inserted on page 6015 of the RECORD by the senior Senator from Mississippi does not represent the equivalent ad valorem of the complete schedules as passed by the House and as amended by the Senate in Committee of the Whole, but it represents an analysis of those items only on which reductions in the duties were made by the Committee of the Whole.

Mr. NORRIS. Mr. President, may I interrupt the Senator?

Mr. SMOOT. I should like to complete my statement first.

Mr. NORRIS. I understand; but the Senator is referring to a statement put in the RECORD by the senior Senator from Mississippi, who is not now present.

Mr. SMOOT. I have been trying to find the Senator from Mississippi. I will assure the Senator from Nebraska that I shall take it up with the Senator from Mississippi before the change is made in the RECORD. I am sure the Senator from Mississippi will agree with the statement I am making.

Mr. HARRISON entered the Chamber.

Mr. SMOOT. The Senator from Mississippi has just entered the Chamber. I will say to him that the Tariff Commission sent to me a statement this morning in relation to the estimate placed in the RECORD yesterday with reference to the chemical schedule which the Senator requested should follow the schedules I asked to have printed. I will repeat that part of my statement in order that the Senator may know what I have said.

Following my statement, as shown in the RECORD of yesterday, the senior Senator from Mississippi [Mr. HARRISON] said:

Will the Senator also put in the RECORD at this point the figures which he has showing that in Committee of the Whole the so-called coalition, when it got through with the matter, had reduced the rate to 13.37 per cent?

Mr. President, I wish to point out that the tabulation inserted on page 6015 by the senior Senator from Mississippi does not

represent the equivalent ad valorem of the complete schedules as passed by the House and as amended by the Senate in Committee of the Whole, but it represents an analysis of those items only on which reductions in the duties were made by the Committee of the Whole.

To illustrate: The value of imports in 1928 for Schedule 1 was \$95,736,113; in the tabulation referred to the value of imports for 1928, \$16,117,355, represents the value only of imports for those items on which reductions were made by the Committee of the Whole. The 13.37 per cent is not the equivalent ad valorem of the entire Schedule 1, as amended by the Committee of the Whole, but only for that part on which reductions were made. The ad valorem rate for the entire Schedule 1, as amended by the Committee of the Whole, is 30.31 per cent.

It is therefore obvious that the tabulation on page 6015 does not present a complete picture for each of the schedules. It is restricted to those items on which reductions were made, and the tabulation presented by the senior Senator from Mississippi must be clearly understood to apply only to a part of each of the schedules.

Mr. HARRISON. Mr. President, may I say to the Senator from Utah that I understood it clearly that way, that the percentage of reductions which I put in the RECORD, being a table prepared by the Tariff Commission, was only upon those items which the House had amended and which the Senate had amended and not upon the whole schedule. But when the Senator put his table in the RECORD yesterday and asked that it be inserted in the document which was to be printed, I asked—or it was done on the motion of the Senator from Montana [Mr. WALSH]—that the percentage of reduction, carrying out the same idea the Senator had in mind in his table, and which was placed in the RECORD day before yesterday by the Representative from Texas, Mr. GAERNER, be also printed in the document.

It was that list which I furnished to the clerk to put in the document which the Senator is having prepared at the Public Printing Office. This particular proposition was only put in at my request, not in parallel columns, but at the bottom of the document, to show just as the Tariff Commission shows what it is. I wanted it to go in the RECORD because it had not previously been put in the RECORD. The Senator stated, on page 6015 of the RECORD, just what the schedule itself states that it is.

Mr. SMOOT. The Senator does not want to have that printed in the document?

Mr. HARRISON. Yes, I do; but not in parallel columns.

Mr. SMOOT. Then I want to have the explanation printed in connection with it.

Mr. HARRISON. That is perfectly all right.

Mr. SMOOT. Then I ask that in the permanent RECORD, and also in the Senate document, the explanation of these items be printed.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. HARRISON. I am very glad that is to be done, and I want the Senator to understand that those matters which were to be printed in parallel columns, as he requested yesterday, will be carried out as suggested by the Senator.

#### AGRICULTURAL APPROPRIATIONS

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7491) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1931, and for other purposes.

The VICE PRESIDENT. The reading of the bill will be resumed.

The Chief Clerk continued the reading of the bill.

The next amendment of the Committee on Appropriations was, on page 53, at the end of line 15, to reduce the total appropriation for the Bureau of Chemistry and Soils from \$1,849,140 to \$1,824,140.

The amendment was agreed to.

The next amendment was, under the heading "Bureau of Entomology," on page 54, line 23, after the word "beets," to strike out "\$392,474" and insert "\$401,274," so as to read:

Truck and field crop insects: For insects affecting truck, garden, and field crops, including insects affecting tobacco and sugar beets, \$401,274.

The amendment was agreed to.

The next amendment was, on page 55, line 14, after the words "European corn borer," to strike out "\$535,000" and insert "\$545,000," so as to read:

Cereal and forage insects: For insects affecting cereal and forage crops, including sugarcane and rice, and including research on the European corn borer, \$545,000, of which \$8,000 shall be immediately available for the control of the cricket in northwestern Colorado.

The amendment was agreed to.

The next amendment was, on page 55, at the end of line 19, to increase the appropriation relative to insects affecting man and animals from \$121,000 to \$131,000.

The amendment was agreed to.

The next amendment was, on page 55, at the end of line 21, to increase the appropriation relative to insects affecting stored products from \$91,900 to \$96,900.

The amendment was agreed to.

The next amendment was, on page 55, at the end of line 25, to increase the appropriation for bee culture and apiary management from \$64,400 to \$75,000.

The amendment was agreed to.

The next amendment was, on page 56, line 1, after the words "Bureau of Entomology," to strike out "\$2,552,604" and insert "\$2,597,004," so as to read:

Total, Bureau of Entomology, \$2,597,004, of which amount not to exceed \$457,090 may be expended for personal services in the District of Columbia.

The amendment was agreed to.

The next amendment was, under the heading "Bureau of Biological Survey," on page 57, line 22, to strike out "\$57,000" and insert "\$64,000," so as to read:

Production of fur-bearing animals: For investigations, experiments, demonstrations, and cooperation in connection with the production and utilization of fur-bearing animals raised for meat and fur, in the United States and Alaska, \$64,000.

The amendment was agreed to.

The next amendment was, on page 58, at the end of line 3, to strike out "\$66,800" and insert "\$70,957," so as to read:

For biological investigations, including the relations, habits, geographic distribution, and migration of animals and plants, and the preparation of maps of the life zones, and including \$18,000 for investigations of the relations of wild animal life to forests, under section 5 of the act approved May 22, 1928, \$70,957.

The amendment was agreed to.

The next amendment was, on page 58, line 9, after the word "therewith," to strike out "\$192,000" and insert "\$232,000," so as to read:

Protection of migratory birds: For all necessary expenses for enforcing the provisions of the migratory bird treaty act of July 3, 1918 (U. S. C., title 16, secs. 703-711), and for cooperation with local authorities in the protection of migratory birds, and for necessary investigations connected therewith, \$232,000.

The amendment was agreed to.

The next amendment was, on page 59, line 3, before the word "Provided," to strike out "\$142,000," and insert "\$167,000," so as to read:

For investigations, experiments, and demonstrations in the establishment, improvement, and increase of the reindeer industry and musk oxen in Alaska, including the erection of necessary buildings and other structures and cooperation with other agencies, and for all expenses necessary for the enforcement of the provisions of the Alaska game law, approved January 13, 1925 (U. S. C., title 48, secs. 192-211), \$167,000.

The amendment was agreed to.

The next amendment was, on page 59, at the end of line 7, to increase the appropriation for salaries and expenses of the Bureau of Biological Survey from \$1,295,320 to \$1,371,477.

The amendment was agreed to.

The next amendment was, on page 60, after line 19, to insert the heading "Migratory Bird Conservation Act," and in line 21, to strike out "Migratory bird conservation act," so as to read:

#### MIGRATORY BIRD CONSERVATION ACT

For carrying into effect the provisions of the act entitled "An act to more effectively meet the obligations of the United States under the migratory-bird treaty with Great Britain by lessening the dangers threatening migratory game birds from drainage and other causes by the acquisition of areas of land and of water to furnish in perpetuity reservations for the adequate protection of such birds; and authorizing appropriations for the establishment of such areas, their maintenance and improvement, and for other purposes," approved February 18, 1929, \$200,000, authorized by section 12 of the act, and in addition thereto \$5,000 authorized by section 18 of the act; in all, \$205,000.

The amendment was agreed to.

The next amendment was, on page 61, line 9, after the name "Biological Survey," to strike out "\$1,791,320" and insert "\$1,867,477," and in line 10, after the word "exceed," to strike out "\$289,373" and insert "\$292,573," so as to read:

Total, Bureau of Biological Survey, \$1,867,477, of which amount not to exceed \$292,573 may be expended for departmental personal services in the District of Columbia.

The amendment was agreed to.

The next amendment was, under the heading, "Bureau of Agricultural Economics," on page 67, line 10, to strike out "\$475,000" and insert "\$525,000," so as to read:

Market inspection of farm products: For enabling the Secretary of Agriculture, independently and in cooperation with other branches of the Government, State agencies, purchasing and consuming organizations, boards of trade, chambers of commerce, or other associations of business men or trade organizations, and persons or corporations engaged in the production, transportation, marketing, and distribution of farm and food products, whether operating in one or more jurisdictions, to investigate and certify to shippers and other interested parties the class, quality, and/or condition of cotton, tobacco, and fruits and vegetables, poultry, butter, hay, and other perishable farm products when offered for interstate shipment or when received at such important central markets as the Secretary of Agriculture may from time to time designate, or at points which may be conveniently reached therefrom, under such rules and regulations as he may prescribe, including payment of such fees as will be reasonable and as nearly as may be to cover the cost for the service rendered: *Provided*, That certificates issued by the authorized agents of the department shall be received in all courts of the United States as prima facie evidence of the truth of the statements therein contained, \$525,000.

The amendment was agreed to.

The next amendment was, on page 67, at the end of line 22, to strike out "\$1,375,000" and insert "\$1,385,000," so as to read:

Market news service: For collecting, publishing, and distributing, by telegraph, mail, or otherwise, timely information on the market supply and demand, commercial movement, location, disposition, quality, condition, and market prices of livestock, meats, fish, and animal products, dairy and poultry products, fruits and vegetables, peanuts and their products, grain, hay, feeds, and seeds, and other agricultural products, independently and in cooperation with other branches of the Government, State agencies, purchasing and consuming organizations, and persons engaged in the production, transportation, marketing, and distribution of farm and food products, \$1,385,000.

The amendment was agreed to.

The next amendment was, on page 68, at the end of line 10, to increase the appropriation for salaries and expenses of the Bureau of Agricultural Economics from \$4,771,890 to \$4,831,890.

The amendment was agreed to.

The next amendment was, on page 72, line 4, after the name "Bureau of Agricultural Economics," to strike out "\$6,175,390" and insert "\$6,235,390," and in line 5, after the word "exceed," to strike out "\$2,153,559" and insert "\$2,164,159," so as to read:

Total, Bureau of Agricultural Economics, \$6,235,390, of which amount not to exceed \$2,164,159 may be expended for personal services in the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 84, line 16, to strike out the heading "National Arboretum" in large type and insert "National Arboretum" in smaller type.

The amendment was agreed to.

The next amendment was, under the subhead "Forest roads and trails," on page 85, line 22, after the word "his," to strike out "apportionment" and insert "apportionment," so as to read:

*Provided further*, That the Secretary of Agriculture shall incur obligations, approve projects, or enter into contracts under his apportionment and prorating of this authorization, and his action in so doing shall be deemed a contractual obligation on the part of the Federal Government for the payment of the cost thereof:

The amendment was agreed to.

The next amendment was, under the subhead "Federal aid highway system," on page 85, line 21, after the figures "1916," to strike out "(U. S. C., title 16, sec. 503)" and insert "(39 Stat. pp. 355-359)," so as to read:

For carrying out the provisions of the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916 (39 Stat. pp. 355-359), and all acts amendatory thereof and supplementary thereto, to be expended in accordance with the provisions of said act, as amended, including not to exceed \$454,900 for departmental personal services in the District of Columbia, \$75,000,000, to remain available until expended, which sum is composed of \$32,800,000, the remainder of the sum of \$75,000,000 authorized to be appropriated for the fiscal year ending June 30, 1929, by paragraph 1 of the act approved June 22, 1926, and \$42,200,000, part of the sum of \$75,000,000 authorized to be appropriated for the fiscal year ending June 30, 1930, by paragraph 1 of the act approved May 26, 1928 (45 Stat. p. 750).

The amendment was agreed to.

The next amendment was, on page 87, line 8, after the parenthesis, to strike out the colon and the following proviso:

*Provided*, That the Secretary of Agriculture is hereby authorized to expend not to exceed \$300,000 out of the administrative funds authorized by the Federal highway act approved November 9, 1921, and acts amendatory thereof or supplementary thereto, for the erection of a laboratory building in the District of Columbia or elsewhere for permanent quarters for the testing and research work of the Bureau of Public Roads; and for the acquisition, by purchase, condemnation, gift, grant, dedication, or otherwise, of such lands as he may deem necessary to provide a suitable site for such laboratory. On and after the passage of this act the unexpended balance of the appropriation of \$75,000 made by the act approved March 4, 1917 (U. S. Stat. L., vol. 39, p. 1161), for such a laboratory on the Arlington farm property of the United States Department of Agriculture shall cease to be available and shall be covered into the Treasury.

The amendment was agreed to.

The next amendment was, on page 88, at the end of line 12, to increase the total appropriations for the Department of Agriculture, from \$153,284,670 to \$153,648,227.

The amendment was agreed to.

The reading of the bill having been concluded,

Mr. McNARY. Mr. President, I send to the desk another committee amendment which I am authorized to propose, covering rent for the department.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 6, line 4, after the numerals "\$100,000," insert:

And the unexpended balance of the appropriation for rent of buildings and parts of buildings in the District of Columbia for use of the various bureaus, divisions, and offices of the Department of Agriculture for the fiscal year 1930 is continued available for the same purpose during the fiscal year 1931.

The amendment was agreed to.

Mr. BLEASE. Mr. President, I offer the following amendment which, I think, the chairman of the committee will accept.

The VICE PRESIDENT. Let the amendment be reported.

The CHIEF CLERK. The Senator from South Carolina moves, on page 88, after line 11, to insert:

FLOOD RELIEF, SOUTH CAROLINA

For the relief of the State of South Carolina, as a reimbursement or contribution in aid from the United States, induced by the extraordinary conditions of necessity and emergency resulting from the unusually serious financial loss to the State of South Carolina through the damage to or destruction of roads and bridges by floods in 1929, imposing a public charge against the property of the State beyond its reasonable capacity to bear, \$805,561. Such portion of the sum hereby appropriated as will be available for future construction shall be expended by the State highway department, with the approval of the Secretary of Agriculture, for the restoration, including relocation, of roads and bridges of the Federal-aid highway system so damaged or destroyed, in such manner as to give the largest measure of permanent relief, under rules and regulations to be prescribed by the Secretary of Agriculture. Any portion of the sum hereby appropriated shall become available when the State of South Carolina shows to the satisfaction of the Secretary of Agriculture that it has, either before or after the approval of this act, actually expended or made available for expenditure, for the restoration, including relocation, of roads and bridges so damaged or destroyed, a like sum from State funds. Nothing herein contained shall be construed as an acknowledgment of any liability on the part of the United States in connection with the restoration of such roads and bridges: *Provided*, That out of such appropriation not to exceed 2½ per cent may be used by the Secretary of Agriculture to employ such assistants, clerks, and other persons in the city of Washington and elsewhere, to purchase supplies, material, equipment, and office fixtures, and to incur such travel and other expense as he may deem necessary for carrying out the provisions of this paragraph.

Mr. McNARY. Mr. President, by action of the Senate previously taken the amendment is in order and is meritorious, and as chairman I have no objection to it.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from South Carolina.

The amendment was agreed to.

Mr. LA FOLLETTE. Mr. President, I offer the following amendment, which is in order in view of the action of the Senate on the bill S. 3487.

The VICE PRESIDENT. Let the amendment be reported.

The CHIEF CLERK. On page 47, after line 10, insert:

For the construction, by contract or otherwise, at Madison, Wis., such fireproof building or buildings as in the judgment of the Secretary of Agriculture may be suitable for the use of the forest products labora-

tory of the Forest Service, with modern equipment for laboratory tests and experiments, including the moving and installation of existing equipment and the purchase and installation of necessary new equipment, the making of steam, sewer, water, gas, electrical, and other connections, and the construction of such railway sidings, roadways, sidewalks, and approaches as may be required, \$900,000: *Provided*, That the Secretary of Agriculture is hereby authorized to accept, on behalf of the United States, from the regents of the University of Wisconsin, a donation by deed of conveyance satisfactory to the United States of such tract or tracts of land as in his judgment may be suitable as a site for such building or buildings, and to pay from the appropriation herein made all costs incident to examining, transferring, and perfecting title to said land: *Provided further*, That the deed of conveyance may provide for a reversion of title to the University of Wisconsin if and when the United States no longer uses said land for the purpose of a forest-products laboratory, and upon such reversion the United States shall have a reasonable time within which to remove or otherwise dispose of the buildings and other improvements constructed by it on said lands.

The amendment was agreed to.

Mr. TRAMMELL. Mr. President, I desire to offer an amendment.

The VICE PRESIDENT. Let it be reported.

The CHIEF CLERK. On page 76, after line 6, insert:

For all necessary expenses for the eradication, control, and prevention of the spread of the Mediterranean fruit fly, the employment of persons and means in the city of Washington and elsewhere, investigations, printing, and the maintenance, repair, and operation of passenger-carrying vehicles outside of the District of Columbia, \$6,900,000, to be immediately available: *Provided*, That in the discretion of the Secretary of Agriculture no expenditure shall be made hereunder until a sum or sums adequate to State cooperation shall have been appropriated, subscribed, or contributed by States, county, or local authorities or individuals or organizations.

Mr. JONES. Mr. President, I understand this has been estimated for by the Budget, and while we have no official information, I understand that a subcommittee of the Committee on Appropriations of the House has gone to Florida and has spent two or three weeks making a very full and thorough investigation. What their report is or may be I do not know, and what their judgment may be I do not know. It has occurred to me that under these circumstances it would be very proper for us to allow the matter to be taken care of in another bill after action by that committee which has made a study and investigation of the situation. That is the only suggestion I have to make in regard to the matter.

Mr. TRAMMELL. Mr. President, the Department of Agriculture, of course, has been in charge of this matter and made a very thorough investigation. A communication has now been submitted by the President and the department and the Budget Bureau recommending this appropriation. Of course, I am not wedded to any particular amount; I am not an expert, and I do not really know what amount should be provided; there is some conflict on that question; but what I am desirous of doing is expediting the matter. The people of my State, both those who are favorable to an appropriation of this character and those who are not, are in a very unsettled condition, and I think that the action I propose will expedite a determination of the question probably by two or three weeks. The subcommittee of the Appropriations Committee of the House may pass on it when it reaches the House.

Mr. JONES. I am not advised as to when the estimate was submitted. Can the Senator tell me the date of it?

Mr. TRAMMELL. The date of the Budget estimate is March 20; that is, the communication came in on March 20.

Mr. JONES. I think probably we would have a right to act on the Budget estimate. The subcommittee of the House will have it before them, together with the information they have gathered; and under those circumstances, we might, of course, take the amendment to conference.

Mr. TRAMMELL. I am confident that the question has been thoroughly considered; but, of course, there might be a divergence of opinion. What I am after, however, is to expedite the matter so that the people of my State may get this controverted question settled, one way or the other, and know what the Government is going to do; whether or not it is going to make an appropriation according to the recommendation of the department if that is in harmony with the views of the Appropriations Committee of the House, or whether it is going to let the matter stay up in the air for an indefinite period. We are bearing the brunt of it in my State, and I would appreciate it very much if we could let this item be adopted in this bill. Then we will see what is the intention.

Mr. VANDENBERG. Mr. President, of course, the fruit-fly quarantine in Florida has its reflex all over the country, and

there is a very violent protest against it from fruit dealers and consignees throughout the Middle West. Furthermore, of course, we are all familiar with the rather vicious criticism of the entire fruit-fly quarantine as it now exists, and there is a very definite question mark in the public mind as to the necessity for it.

Mr. President, so far as I am concerned, I am quite disposed to go along with the Senator in his purpose to expedite a conclusion, but I would not want it understood that by the Senate's consent to the amendment at this point we are committing ourselves against whatever position may be recommended by the subcommittee of the House Appropriations Committee. I want to be guided by that recommendation when it shall be available.

Mr. TRAMMELL. Mr. President, the views of the Senator from Michigan with regard to the matter are not contrary to mine. I want to try to work it out, and the idea, as I said, is to try to get some adjustment at an early date instead of having it hang as a cloud over my State. I think the adoption of this amendment will help expedite the matter.

Mr. McNARY. Mr. President, the Senator from Washington [Mr. JONES] raised the point, or at least made the suggestion, that probably the House should further consider this item. There has been some controversy among Members of the House for a little time over it. Recently the Department of Agriculture advised me, as chairman of the Senate Committee on Agriculture and Forestry, that it desired this money for the purpose of plant control and insect eradication work for the year. The matter was submitted to the Director of the Budget by the Department of Agriculture, and then to the President of the United States, and the estimate came here a few days ago, reduced by over 50 per cent under the estimate first made by the Department of Agriculture. The first proposal was for \$15,381,000, of which \$1,290,000 has been appropriated, reducing this estimate to \$14,091,000. It is now proposed to reduce this sum to \$6,900,000 in House Document No. 325 of this session, which sum will carry on the work until November 30 of this year. It is hoped that the entomologists of the Department of Agriculture, by the use of this money in the way they have planned to use it, will be able to bring about a complete eradication of this insect, which is the worst pest of all the insects known over the world, or at least it will be possible to bring it within control of the biologists and entomologists of the department. If the appropriation shall not be provided in this bill, I do not know in what bill it will be carried. If it is a matter of controversy in the House, when it goes to conference it can be studied, and then, if the conferees are unable to agree because of House opposition, the matter can well be referred to the floor of the House, where it can be thrashed out. Then it can be passed on by the experts, and Members of the House may be afforded an opportunity to express their views. I hope the amendment will be adopted.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Florida.

The amendment was agreed to.

Mr. McNARY. Mr. President, I ask unanimous consent that the clerk be given authority to adjust all totals that may be in error.

The VICE PRESIDENT. Without objection, it is so ordered.

The bill was reported to the Senate as amended and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

#### CONSTRUCTION OF PUBLIC BUILDINGS

Mr. KEYES. Mr. President, there is on the calendar order No. 141, being House bill 6120, which is generally known as the public buildings bill. I was about to ask the Senator from Nebraska if he would be willing to lay aside the unfinished business, so that the bill to which I have referred may be considered at that time?

The VICE PRESIDENT. The unfinished business does not come up until 2 o'clock, and the bill in charge of the Senator from New Hampshire is in order.

Mr. KEYES. Then I move that the Senate proceed to the consideration of the bill named by me.

The VICE PRESIDENT. The question is on the motion of the Senator from New Hampshire.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 6120) to amend the act entitled "An act to provide for the construction of certain public buildings, and for other purposes," approved May 25, 1926 (44 Stat. 630); the act entitled "An act to amend section 5 of the act entitled 'An act to provide for the construction of certain public buildings, and for other purposes,' ap-

proved May 25, 1926," dated February 24, 1928 (45 Stat. 137); and the act entitled "An act authorizing the Secretary of the Treasury to acquire certain lands within the District of Columbia to be used as space for public buildings," approved January 13, 1928 (45 Stat. 51), which had been reported from the Committee on Public Buildings and Grounds with amendments.

The first amendment was, on page 3, after line 15, to strike out "Secretary of the Treasury is authorized, empowered, and directed, to acquire sites or additions to sites for public buildings by purchase, condemnation, or otherwise, within the area bounded by Pennsylvania Avenue and New York Avenue on the north, Virginia Avenue and Maryland Avenue projected in a straight line to Twining Lake on the south, and Delaware Avenue SW. on the east, including properties within said area belonging to the District of Columbia which the Secretary of the Treasury may determine should be acquired, and in addition thereto the necessary land for the extension of the building known as the Treasury Annex No. 1 northwardly to H Street NW." and insert "Secretary of the Treasury is authorized, empowered, and directed to acquire, for the use of the United States, by purchase, condemnation, or otherwise, any land and buildings which he may determine should be acquired within the area bounded by Pennsylvania Avenue and New York Avenue on the north, Virginia Avenue and Maryland Avenue projected in a straight line to Twining Lake on the south, and Delaware Avenue SW. on the east, including properties within said area belong to the District of Columbia, but excluding those portions of squares 267, 268, and 298 not belonging to the District of Columbia; the square known as south of 463; all of square 493; lots 16, 17, 20, and 21, and 808 in square 536; and lots 16 and 45 in square 635. The Secretary of the Treasury is further authorized, empowered, and directed to acquire the necessary land for the extension of the building known as Treasury Annex No. 1, northwardly to H Street NW.," so as to read:

(b) The limitation contained in section 1 of the act of May 25, 1926, defining the area within which sites or additions to sites for public buildings in the District of Columbia may be purchased, is hereby extended, and the Secretary of the Treasury is authorized, empowered, and directed to acquire, etc.

The amendment was agreed to.

The next amendment was, in paragraph (d), on page 5, line 8, after the word "where," to strike out "as provided by existing law," and in line 9, after the words "sum of," to strike out "\$10,000" and insert "\$7,500," so as to make the paragraph read:

(d) That in submitting estimates for appropriations under the above authorized extension of the public building program, preference shall be given to those projects where sites have been acquired or authorized to be acquired under the public building act of May 25, 1926, and prior acts, where the postal receipts have reached the sum of \$7,500 annually.

The amendment was agreed to.

Mr. BRATTON. Mr. President, I send forward an amendment, which I hope the chairman of the committee will accept.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 2, line 22, after the name "District of Columbia," it is proposed to insert a colon and the following proviso:

*Provided*, That out of the money appropriated under the authorization contained herein at least two buildings shall be constructed in each State for post offices with receipts of more than \$10,000 during the last preceding year, for which post offices no public buildings have been provided.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from New Mexico.

The amendment was agreed to.

Mr. BRATTON. Mr. President, in order to correct the bill textually, the word "further" should follow the word "Provided" in line 22, there now being two provisos.

Mr. KEYES. That is correct.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 2, line 22, after the word "Provided," it is proposed to insert the word "further."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

#### ADJOURNMENT TO FRIDAY

Mr. McNARY obtained the floor.  
Mr. HEFLIN. Mr. President—

The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from Alabama?

Mr. McNARY. I yield.

Mr. HEFLIN. The Muscle Shoals measure has been made the unfinished business of the Senate, and I want to ask the Chair if it now automatically comes before the Senate?

The VICE PRESIDENT. It comes before the Senate; and if an adjournment or recess is had, then it comes up at 2 o'clock on the next day when the Senate shall be in session.

Mr. HEFLIN. Mr. President, if it is the purpose of the Senator from Oregon to move an adjournment, may I ask that the Chair lay the Muscle Shoals joint resolution before the Senate at this time?

The VICE PRESIDENT. That is unnecessary until 2 o'clock, unless the Senator wants to discuss it, because, under the rule, it is not required.

Mr. McNARY. I move that the Senate adjourn until 12 o'clock on Friday next.

Mr. HEFLIN. Mr. President, before that motion is put, let me ask the Chair if the Muscle Shoals measure will be before the Senate when we meet again?

The VICE PRESIDENT. If an adjournment is had at this time, the Muscle Shoals joint resolution will come before the Senate at 2 o'clock on the day when the Senate shall meet.

Mr. DILL. Mr. President, I make the point of no quorum. Before the motion of the Senator from Oregon is put, I think we ought to have a quorum here to pass on the question.

Mr. GLENN. Mr. President—

The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from Illinois?

Mr. DILL. I make the point of no quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Glass	Keyes	Shortridge
Barkley	Glenn	La Follette	Simmons
Bingham	Goff	McCulloch	Smith
Black	Goldsborough	McKellar	Smoot
Blaine	Gould	McMaster	Steck
Blease	Greene	McNary	Steiwer
Borah	Grundy	Moses	Stephens
Bratton	Hale	Norbeck	Sullivan
Brookhart	Harris	Norris	Swanson
Capper	Harrison	Nye	Thomas, Idaho
Caraway	Hatfield	Oddie	Thomas, Okla.
Connally	Hawes	Overman	Trammell
Copeland	Hayden	Phipps	Tydings
Couzens	Hebert	Pine	Vandenberg
Dale	Hefflin	Ransdell	Wagner
Dill	Howell	Robinson, Ind.	Walcott
Fess	Johnson	Robison, Ky.	Walsh, Mass.
Frazier	Jones	Schall	Waterman
George	Kean	Sheppard	Watson
Gillett	Kendrick	Shipstead	

Mr. McKELLAR. I desire to announce that my colleague [Mr. Brock] is unavoidably detained on account of illness.

The VICE PRESIDENT. Seventy-nine Senators have answered to their names. A quorum is present.

Mr. WATSON. Mr. President, I understand that in my absence the Senator from Oregon [Mr. McNARY] made a motion that the Senate adjourn until next Friday. Am I right?

The VICE PRESIDENT. He withheld that motion.

Mr. WATSON. I insist on the motion.

Mr. DILL. Mr. President, before that is done—

The VICE PRESIDENT. Does the Senator from Indiana withhold his motion?

Mr. McKELLAR. Mr. President, I wish to ask the Senator a question.

The VICE PRESIDENT. The motion is not debatable. Will the Senator withhold it?

Mr. WATSON. I shall be glad to withhold it for a question.

Mr. McKELLAR. I desire to ask the Senator whether or not it is intended to have a session on next Friday?

Mr. WATSON. When we meet on Friday it is my intention, as soon as the Vice President calls the Senate to order, to move to adjourn until the following Tuesday, and then, on the following Tuesday, to take up the Muscle Shoals measure.

Mr. DILL. I understand, then, that we are going to loaf for a week? We are not going to do anything?

Mr. WATSON. We are going to loaf—l-o-a-f.

Mr. DILL. The Senator realizes that every week of loafing we take now means two or three weeks of work next summer.

Mr. WATSON. I do not think so. I will say to my friend that I think we shall really save time.

I renew the motion, Mr. President.

The VICE PRESIDENT. The Senator from Indiana moves that the Senate adjourn until Friday next at 12 o'clock.

The motion was agreed to; and (at 1 o'clock and 32 minutes p. m.) the Senate adjourned until Friday, March 28, 1930, at 12 o'clock meridian.

## HOUSE OF REPRESENTATIVES

TUESDAY, March 25, 1930

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our blessed Heavenly Father, while our conduct is often unwise and our lives seem to be commonplace, yet in moments of encouragement we think of ourselves as children of the Most High, who dost bestow upon us the blessing of each day. In Thy sight no life is common or worthless; so bless us with the inspiration of hope and with a sense of dignity, that we may be real and abiding contributions to the moral and patriotic forces of our land. We praise Thee these days for Him whose divine passion finds its consummation in love, sorrow, and sacrifice. With fidelity to Thee and loyalty to our country, help us to do to-day's work, and thus we shall have a fine conception of a life which is loving, brave, and tender. Amen.

The Journal of the proceedings of yesterday was read and approved.

### INDEPENDENCE OF GREECE

The SPEAKER. Under the special order of the House the gentleman from Pennsylvania [Mr. WATSON] is recognized for 20 minutes.

Mr. WATSON. Mr. Speaker, ladies and gentlemen of the House, Greece on the 25th of March, 1830, declared her independence. It is my purpose at this hour to give expression of congratulations to Greece that she has enjoyed 100 years of self-government. I shall not recall the battles, the sufferings, the wanton cruelties and massacres, but the glory of Greece under her independence.

Scholars who study history of the ages learn that Greece was the ancient center of luxury and culture that dates from the earliest era of civilization. The heroic deeds and valor of the Hellenic soldiers were marked with patriotism and intrepid courage at the Battles of Marathon and Thermopylae; a century and a half later Alexander the Great, the conqueror of Asia, returned to Athens a victorious hero, and placing his sword upon the altar of fame wept because he had no other worlds to conquer. Greece for many years held supremacy on land and sea and was devoted to the public weal. Her people naturally became engrossed with mental development, culture, and refinement, at the expense of physical endurance and time-honored war record of their past. The invading nations with barbaric strength and cruelty were victorious in their campaigns, and thus Greece in 1470 was forced under the Ottoman power. The Turks ruled, with the exception of a few years of Venetian control, until the London protocol of February 3, 1830. This subjugation carries out the philosophy of Petri, the greatest living archaeologist, who attempts to prove a nation's power lasts but a few hundred years, when it passes into the age of wealth and thereby its people become slaves to ease and pleasure. Then after centuries of mental decay the nation starts anew with a physical strength augmented by strife to again pass through the periods of sculpture, painting, literature, music, and the sciences, and like the phoenix rises from its ashes young and beautiful.

In the year 1814 a society of young Greeks was formed for the purpose of creating a spirit of revolution to throw off the Turkish yoke. This club was successful in raising a regiment that had several skirmishes in the interest of independence. After eight years of revolution the strife for independence made such substantial progress that it created a deep sympathy in the United States. Committees were formed and funds collected for the relief of the victims of the war. President Monroe in his message to Congress on the 8th of December, 1823, brought the revolution to the attention of the American people, which animated the following resolution, offered in the House by Mr. Webster on January 19, 1824:

*Resolved*, That provisions ought to be made by law for defraying the expense incident to the appointment of an agent or commissioner to Greece, whenever the President shall deem it expedient to make such an appointment.

Mr. Webster spoke in favor of the resolution, from which, in part, I quote:

What I propose, and what I shall say, has reference to modern not to ancient Greece, to the living, not to the dead. \* \* \*

There the oppressed are perhaps no better than the oppressors, but in case of Greece there are millions of Christian men, not without knowledge, not without refinement, not without strong thirst for all the pleasures of civilized life, trampled into the very earth century after century by a barbarous, pillaging, relentless soldiery.

Mr. Poinsett, of South Carolina, opposed the resolution on the ground that the commissioners might fall into the hands of the Turks, an event, he said—

By no means impossible, in the present state of Greece—what would be their fate? The Porte has not been remarkable for its strict observance of the laws of nations, in its intercourse with the powers of Europe, and it is not probable that such a court would be very scrupulous in its conduct toward a nation whose flag it has never acknowledged. Or let us imagine, what is much more probable, that on the rumor of our having taken any measure in favor of Greece, the barbarous and infuriated Janissaries at Smyrna were to assassinate our consul and fellow citizens residing there; might not a war grow out of such acts?

Mr. Randolph, of Virginia, also opposed the resolution, substantiating the views of Mr. Poinsett, to which Mr. Clay made the following reply:

If, in a proposition so simple, so plain, so harmless, so free from all real danger as this, we were to shut our hearts from the influence of every generous, every manly feeling, let gentlemen say so at once. But he could tell the gentleman from Virginia that he who follows the dictates of a heart warmed with humanity and with the love of freedom has a better guide than that cold, unfeeling, pence-calculating policy which shrinks before it is menaced and will never do a noble deed for fear of some remote, possible consequence of conceivable danger.

Mr. Webster spoke several times upon the resolution. In his last speech he said:

They look to us as the great Republic of the earth; and they ask us, by our common faith, whether we can forget that they are struggling, as we once struggled, for what we now so happily enjoy. I can not say, sir, that they will succeed; that rests with Heaven. But for myself, sir, if I should to-morrow hear that they have failed; that their last phalanx had sunk beneath the Turkish scimitar; that the flames of their last city had sunk in its ashes; and that naught remained but the wide melancholy waste where Greece once was, I should still reflect, with the most heartfelt satisfaction, that I have asked you, in the name of 7,000,000 of freemen, that you would give them at least the cheering of one friendly voice.

Greece in the transition period has made great progress since her independence in 1830. Then the population of Athens was 14,000—now 1,000,000; then Piræus, the port of Athens, had but one building, the customhouse, seldom more than two or three sailing vessels in the harbor at one time; now the population is nearly 200,000, and as a shipping center exceeds that of Marseille. Then the trade with the United States was only nominal; now it surpasses the total of all the Balkan states. A national bank was established in 1841, which gave Athens her first international financial credit. No nation develops under the yoke of another, as Greece so well exemplified during the 100 years of her independence.

We should not forget the obligation the world owes to Greece, when she cared for one million and a half of Greek and Armenian refugees. She fed them; they were taken into the homes of the citizens and treated as members of the families. Greek women formed themselves into societies and taught the refugees the art of embroidering; rented shops where the results of their labors might be exhibited and sold. The humanity of Greece will ever remain as evidence of her Christian spirit. Greece is fast developing many industries, improving her municipalities toward a more perfect plan to meet modern civilization. There are 225,768 Greeks in the United States, one-half of whom are members of the Orthodox Church. Many have been naturalized and take their places in the industries and American institutions, in the arts and academies of learning, where they have proven to be diligent and patriotic American citizens. The Grecian motto is true to their faith, "Iper, pisteos kalpatridos." [Applause.]

#### LOBBYING ACTIVITIES

The SPEAKER pro tempore (Mr. ALDRICH). Under the special order of the House, the gentleman from Wisconsin [Mr. SCHAFER] is recognized for 15 minutes.

Mr. SCHAFER of Wisconsin. Mr. Speaker, ladies and gentlemen of the House, in supplementing my remarks in the House on February 28, 1930, in behalf of the adoption of House Resolution 69, I wish to call to your attention the fact that Mr. Louis R. Glavis, mentioned therein, who Hon. Joseph D. Beck stated is a partner of Mr. Richard H. Lee, the lobbyist, received from the Federal Treasury a salary of \$625 a month and expenses for services as an investigator from April 23, 1928, to June 30, 1929. The complete disbursements for salary and expenses, which amount to many thousands of dollars, can be found in the report of the Secretary of the Senate from July 1, 1927, to June 30, 1928, pages 186, 259, and 265, and the report of the Secretary of the Senate from July 1, 1928, to June 30,

1929, pages 75, 89, 97, 103, 107, 111, 112, 118, 128, 137, 145, 151, 155, 157, 161, and 164.

The testimony of Hon. Joseph D. Beck, the gubernatorial candidate, who was supported by the La Follette Progressive Republican Club of Milwaukee County with the Lee money, indicates the interest of Mr. Glavis, including a speech delivered by him in the Wisconsin 1928 primary campaign, even during the period of time that said Glavis was on the Federal pay roll as heretofore mentioned.

If you will particularly note Mr. Glavis's expense items, as detailed in the pages of the Senate reports which I have heretofore mentioned, you will find that the Federal Government paid many hundreds of dollars for many trips of Mr. Glavis from Washington to New York City.

It appears necessary, therefore, in the public interest that one of the first witnesses to be subpoenaed in the investigation as proposed by House Resolution 69 should be Mr. Glavis, as in addition to obtaining full facts on his connections with the lobbyist, Mr. Lee, who contributed many thousands of dollars to the La Follette Progressive Republican Club of Milwaukee County, which club received and expended such funds in violation of the Wisconsin corrupt practices acts, it would be highly essential to determine what Indians and Indian affairs Mr. Glavis investigated in the city of New York during his many trips to that city as an investigator on Government salary and at Government expense. In all probability we will find that a great portion, if not all, of the contacts on Indian affairs during these trips to New York City were contacts with Indians of the type of the lobbyist, Mr. Richard H. Lee, of New York, who Hon. Joseph D. Beck stated was a partner of Mr. Glavis. [Applause.]

Mr. Speaker, the Members of Congress have received Bulletin No. 41, dated March 12, 1930, issued by the Rawleigh Tariff Bureau. Page 2 of this tariff propaganda contains an article by D. J. Lewis, a paid servant of this disreputable lobby, indicating that I had misrepresented facts in the address which I delivered in the House on February 28, 1930. In the brief time which I have to-day it will not be possible for me to present to the House irrefutable proof indicating that I misstated no facts, but that Mr. Lewis's statement just referred to is a most magnificent specimen of willful, careless, reckless mishandling of the truth.

At a later date, if the House will kindly grant me about one hour's time, I shall answer the untruths of this hired man of the Rawleigh tariff lobby and incorporate in the RECORD citations and extracts of testimony before the Congress of the United States, including testimony of Mr. Rawleigh unequivocally asking for the reduction or repeal of tariff on many of the products which he uses, as well as the mailing list of products of the Rawleigh Co., together with specific references showing that most of such Rawleigh products are protected by a very high tariff, the untruthful statements of Mr. D. J. Lewis to the contrary notwithstanding. [Applause.]

Mr. Speaker, the voices of many of the candidates supported in the 1928 Wisconsin primary campaign by the La Follette Progressive Republican Club of Milwaukee County and other satellites of their political combination have been raised in violent denunciation and vituperation in criticism of the appointment of Hon. Charles Evans Hughes to the position of Chief Justice of the United States Supreme Court. These villifiers from my fair State have waxed eloquent in picturing themselves as knighted champions of the people's interests and protectors of the fountainhead of justice, the Supreme Court, from corrupting corporate and blighting influences of combinations and monopolies. They claim to exemplify the highest ideals of Supreme Court integrity and strut forth as crusaders to effectuate those ideals. Why, Mr. Speaker, those in Wisconsin who have condemned the appointment of Hon. Charles Evans Hughes to the Supreme Court of the United States, who have denounced and villified this honorable, illustrious, incorruptible, and efficient citizens are to-day in Wisconsin supporting Mr. John W. Reynolds, the present attorney general of Wisconsin, who is a candidate for the Wisconsin Supreme Court. Mr. Reynolds has for many weeks been covering the State in behalf of his candidacy.

This is the same Mr. John W. Reynolds who was supported for the position of attorney general by the La Follette Progressive Republican Club of Milwaukee County, in the 1928 Wisconsin primary campaign, and in whose behalf said club received from the master lobbyist, Mr. Richard H. Lee, of New York, thousands of dollars in violation of the Wisconsin corrupt practices acts, which they expended in the chain system of campaigning in behalf of candidates of their faction, including Mr. Reynolds. Why, Mr. Speaker, those political henchmen of Mr. John W. Reynolds, who so bitterly denounced the appointment of Chief Justice Hughes should be the first to have demanded

that the attorney general devote the people's time, which he is now spending in his campaign throughout the State for a position on the Wisconsin Supreme Court bench, to performing the duties of the office which he now holds, and endeavor to clear up the Lee contribution, particularly in view of the fact that his primary campaign of 1928 benefited by the violations of the Wisconsin corrupt practices acts, with the Lee money. [Applause.]

Mr. Speaker, I feel confident that if the good people of Wisconsin had an opportunity to have presented to them all of the sordid facts in the Lee case that they would become so aroused as to flood the ballot boxes in the forthcoming judiciary election with an avalanche of ballots against Mr. Reynolds. [Applause.]

As the late Senator from Wisconsin, Robert M. La Follette, often said—

Give the people light and they will find their way.

[Applause.]

CONFERENCE REPORT ON BILL H. R. 5616

Mr. DOWELL. Mr. Speaker, I present a conference report on the bill (H. R. 5616) to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes.

The SPEAKER. The gentleman from Iowa presents a conference report, which the Clerk will report.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing vote of the two Houses on the amendments of the Senate to the bill (H. R. 5616) to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Sec. 3. Section 6 of such act of July 11, 1916, as amended and supplemented, is further amended so that the limitation of payments which the Secretary of Agriculture may make is increased to \$25,000 per mile, exclusive of the cost of bridges of more than 20 feet clear span: *Provided*, That the Federal participation shall be limited to \$15,000 per mile until the original certified 7 per cent system of such State shall have been surfaced: *Provided further*, That any such increase above \$15,000 per mile shall be certified by the Director of the Bureau of Public Roads and the Secretary of Agriculture as securing actual extension of the highway system or economy in its construction: *Provided further*, That the limitation of payments herein provided shall apply to the public-land States, except that the same is hereby increased in proportion to the increased percentage of Federal aid authorized by section 11 of the act entitled 'An act to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes,' approved November 9, 1921, as amended. The provisions of this section relating to the limitation of payments per mile which the Secretary of Agriculture may make shall apply to all funds heretofore appropriated and available for payment to the States on the date of approval of this amendatory act and to all sums hereafter appropriated for carrying out the provisions of such act of July 11, 1916, as amended and supplemented."

And the Senate agree to the same.

C. C. DOWELL,  
CHAS. BRAND,  
ED B. ALMON,

*Managers on the part of the House.*

L. C. PHIPPS,  
GEO. H. MOSES,  
KENNETH MCKELLAR,

*Managers on the part of the Senate.*

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 5616) to amend the act entitled

"An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees:

On amendment No. 1: The Senate amendment added to the bill a new section which amended section 6 of the act of July 11, 1916, as amended and supplemented, by increasing the limit of payments which the Secretary of Agriculture might make under such section to \$25,000 per mile, exclusive of the cost of bridges of more than 20 feet clear span, and provided that the limitation of payment in public-land States might be increased in proportion to the increased percentage authorized by section 11 of the Federal highway act of November 9, 1921, as amended. The amendment applied to funds appropriated and available for payment to the States on the date of the approval of the amendatory act, as well as to future appropriations made. The House recedes from its disagreement to the amendment No. 1 of the Senate, with an amendment which provides that such limit of payments shall be \$15,000 per mile until the original certified 7 per cent system of such State shall have been surfaced, and further provides that any increase above the \$15,000 limit shall be certified by the Director of the Bureau of Public Roads and the Secretary of Agriculture as securing actual extension of the highway system or economy in its construction.

On amendment No. 2: The Senate amendment makes a change in section number, and the House recedes.

C. C. DOWELL,  
CHAS. BRAND,  
ED B. ALMON,

*Managers on the part of the House.*

Mr. DOWELL. Mr. Speaker, there is just one amendment, and the members of the committee have agreed, and I ask unanimous consent that the conference report may be considered at this time.

Mr. TREADWAY. Mr. Speaker, reserving the right to object, may I ask if the gentleman will explain in detail to the House the agreement that has been reached in reference to the item of a larger allotment to States for post roads?

The SPEAKER. The Clerk will read the conference report.

Mr. DOWELL. Mr. Speaker, I ask that the statement be read in lieu of the report.

The Clerk read the statement accompanying the conference report.

The SPEAKER. Is there objection to the present consideration of the conference report?

Mr. TREADWAY. Mr. Speaker, reserving the right to object, I would like the chairman of the Committee on Roads to explain exactly what amendment No. 1 does to the condition which he knows exists in Massachusetts and other States.

Mr. DOWELL. The amendment as now agreed upon provides for \$25,000 per mile provided the Federal participation shall be limited to \$15,000 per mile until the original certified 7 per cent has been surfaced under certain conditions.

Mr. DOUGHTON. Will the gentleman yield?

Mr. DOWELL. Yes.

Mr. DOUGHTON. Does that mean 7 per cent of the entire country or 7 per cent of any one State?

Mr. DOWELL. Seven per cent of any one State.

Mr. TREADWAY. Will the gentleman be kind enough to define a little further what he means by 7 per cent of the original surfacing?

Mr. DOWELL. The law originally provided that the States should certify to the Bureau of Public Roads 7 per cent of the roads within the States. That was done some years ago and all of the Federal participation has been placed on that 7 per cent. This agreement provides that when the 7 per cent has been surfaced, then, by the consent of the Secretary of Agriculture, it may be increased to \$25,000 per mile.

Mr. TREADWAY. Does the 7 per cent mean all highways primary and secondary within the bounds of a State?

Mr. DOWELL. Yes.

Mr. TREADWAY. How many States have been able to comply with the 7 per cent?

Mr. DOWELL. There are only a few of them that have been completed.

Mr. TREADWAY. I have not the record with me as to Massachusetts.

Mr. DOWELL. I have not examined that, but it was claimed by those in Massachusetts that it had practically completed the 7 per cent.

Mr. TREADWAY. So that if Massachusetts has completed its 7 per cent—and I take it from what the chairman says he thinks it has.

Mr. DOWELL. No; I do not think it has, and I am not willing to state that. I say it was claimed here by those at the time the bill was originally passed that it was at least approaching that amount.

Mr. TREADWAY. Assuming we have reached the 7 per cent in Massachusetts, then under your amendment will there be \$25,000 per mile available?

Mr. DOWELL. With the consent of the Secretary of Agriculture. It is within the discretion of the Secretary under certain conditions.

Mr. TREADWAY. I suppose, theoretically, and even practically, all of these appropriations must have the approval of the Secretary of Agriculture under any circumstances?

Mr. DOWELL. Every project must have the approval of the Secretary of Agriculture.

Mr. JOHNSON of Texas. Will the gentleman yield?

Mr. DOWELL. Yes.

Mr. JOHNSON of Texas. I did not understand just what explanation was made with reference to public-land States.

Mr. DOWELL. It gives the same percentage of increase to the public-land States that they have in the original bill.

Mr. BEEDY. Will the gentleman yield?

Mr. DOWELL. Yes.

Mr. BEEDY. The gentleman realizes I am very much interested, and I dislike to take up the time of the committee, but I do not understand what the 7 per cent is. Seven per cent of what?

Mr. DOWELL. Of the roads within a State; public roads within a State. I am talking about the Federal-aid system, which includes 7 per cent of all of the roads within any State, and that has been certified by the highway commission to the Bureau of Roads.

Mr. BEEDY. That is, if the State of Maine has completed 7 per cent under Federal aid of all the total mileage within the State, then the State can get in excess of \$15,000 per mile for highway construction if the Secretary of Agriculture approves it, but not otherwise.

Mr. DOWELL. That is true.

Mr. BEEDY. Then, under the effect of the amendment, is not the State of Rhode Island the only State that is affected?

Mr. DOWELL. No.

Mr. BEEDY. What other State is affected?

Mr. DOWELL. I do not recall; but I think a number of States are affected.

Mr. BEEDY. That is quite important, if there are a number of them.

Mr. DOWELL. There are several very close to the line and a number that have passed it, so I was informed.

Mr. JENKINS. Will the gentleman yield?

Mr. DOWELL. Yes.

Mr. JENKINS. May I ask the gentleman from Ohio [Mr. BRAND] what is the condition of Ohio with reference to the 7 per cent system?

Mr. BRAND of Ohio. The 7 per cent system is almost completed.

Mr. TREADWAY. Mr. Speaker, further reserving the right to object, I understood the gentleman to say that he did not wish to authoritatively say that Massachusetts had completed its 7 per cent.

Mr. DOWELL. I would not say that about any State without having looked it up.

Mr. TREADWAY. I have been reliably informed since the last colloquy with the gentleman that several States have completed the 7 per cent limit, and I am told North Carolina, Ohio, and Massachusetts are at least three of that number.

Therefore, if I thoroughly understand the amendment—and the gentleman has made it, I think, quite clear—so far as the interests of Massachusetts are concerned, I think we are securing in this amendment what the State officials asked its Members here to particularly endeavor to obtain from the committee, namely, a \$25,000-per-mile contribution. As I understand the explanation of the chairman of the committee, if I may speak in behalf of Massachusetts and my colleagues, I think our interests are safeguarded under the amendment the gentleman offers.

Mr. GARNER. As long as Massachusetts is satisfied, it looks to me as though we should let the conference report go through.

Mr. TREADWAY. I thank the gentleman from Texas. I am reliably informed through the Bureau of Public Roads that the States which have completed the necessary 7 per cent construction in order to secure the allotment of \$25,000 per mile are Connecticut, Rhode Island, Maryland, Delaware, Massachusetts, and New York.

Mr. DOWELL. Mr. Speaker, I move the adoption of the conference report.

The SPEAKER. Is there objection to the present consideration of the conference report. [After a pause.] The Chair hears none. The question is on agreeing to the conference report.

The conference report was agreed to.

#### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed without amendment a bill and joint resolution of the House of the following titles:

H. R. 11045. An act to increase the appropriation for the acquisition of a site for the new House Office Building; and

H. J. Res. 264. Joint resolution making an appropriation to complete the restoration of the frigate *Constitution*.

The message also announced that the Senate recedes from its amendments numbered 23, 46, and 47 to the bill (H. R. 9979) entitled "An act making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1930, and prior fiscal years, to provide urgent supplemental appropriations for the fiscal years ending June 30, 1930, and June 30, 1931, and for other purposes."

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 2667. An act to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes.

The message also announced that the Vice President had appointed Mr. GREENE and Mr. FLETCHER members of the joint select committee on the part of the Senate as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the War Department.

#### ENROLLED BILLS SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 8705. An act granting the consent of Congress to the State of Illinois to construct, maintain, and operate a bridge across the Rock River at or near Prophetstown, Ill.;

H. R. 8706. An act to legalize a bridge across the Pecatonica River at Freeport, Ill.;

H. R. 8970. An act granting the consent of Congress to the State of Illinois to construct a bridge across the Little Calumet River on Ashland Avenue near One hundred and thirty-fourth Street, in Cook County, State of Illinois;

H. R. 8971. An act granting the consent of Congress to the State of Illinois to widen, maintain, and operate the existing bridge across the Little Calumet River on Halsted Street near One hundred and forty-fifth Street, in Cook County, State of Illinois;

H. R. 8972. An act granting the consent of Congress to the State of Illinois to construct a bridge across the Little Calumet River on Ashland Avenue near One hundred and fortieth Street, in Cook County, State of Illinois;

H. R. 9979. An act making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1930, and prior fiscal years, to provide urgent supplemental appropriations for the fiscal years ending June 30, 1930, and June 30, 1931, and for other purposes;

H. R. 11045. An act to increase the appropriation for the acquisition of a site for the new House Office Building; and

H. J. Res. 264. A joint resolution making an appropriation to complete the restoration of the frigate *Constitution*.

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 3371. An act to amend section 88 of the Judicial Code, as amended.

#### DISTRICT OF COLUMBIA APPROPRIATION BILL

Mr. SIMMONS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 10813) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1931, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 10813, with Mr. LaGUARDIA in the chair.

The Clerk read the title of the bill.

Mr. CANNON. Mr. Chairman, I yield 40 minutes to the gentleman from Texas [Mr. Box].

Mr. BOX. Mr. Chairman, ladies and gentlemen of the committee, on yesterday afternoon the gentleman from Iowa [Mr. RAMSEYER] closed a thoughtful and otherwise notable speech on the tariff question by declaring that there is a question before America and the Congress more important than even the tariff or prohibition questions. He referred to the fact that American barns and cotton yards, grain elevators, and other places of storage are full of farm products and the warehouses full of the output of industry, which can not be profitably sold, while great numbers of American working people are out of employment, many of them hungry. The gentleman did not have time to state fully what he had in mind, but what he said showed clearly that he is concerned about the present conditions of distress among farmers and industrial workers. I think the question why, under these conditions, America should be receiving more hands to be idle and more stomachs to become hungry must have been in the gentleman's mind, as at least an important part of the paramount problem he was pondering. That question was in my mind when I obtained the promise of this time and when I prepared what I shall try to say to you on the subject of imported alien Mexican labor and the farm problem. If I can obtain the time and the House will hear me, I shall try to discuss other phases of this problem from time to time hereafter.

I have lived in Texas, a Mexican border State, throughout my entire life. Indeed, my forefathers were there while Texas was yet a part of Mexico. My acquaintance with Mexican people of all classes, from the privileged, dominating few, to the mass of oppressed and wretched peons whom the upper classes treat as degraded inferiors, has afforded me considerable opportunity to observe them and the economic, social, and political results which their character produces in Mexico and wherever large numbers of them assemble. In the active practice of my profession as a lawyer I have visited many of the counties of the Rio Grande border, from El Paso to the lower valley, and the cities of San Antonio, Austin, and Houston, farther east and north, where I saw Mexican border conditions and the tendencies of Mexican peon population.

Having taken some active part in the public affairs of my State, I have for many years noted the effect of the lower stratum of Mexican life upon the political and social problems of that region.

During more than 10 years' service as a Member of the House of Representatives and of its Committee on Immigration and Naturalization, I have given study to the problems of Mexican immigration, following my former observations by special studies. During the latter half of the year 1929, while my colleague on the committee, Hon. THOMAS A. JENKINS, and I were making a survey of this problem on which we have reported to our committee, I visited 40 to 50 of the counties of Texas and all the larger cities in which this population is greatest and can be studied to best advantage. I extended my travels entirely across the State of Oklahoma, through the middle and western parts of Kansas, nearly twice across the beet-sugar producing areas of Colorado, and the full length of New Mexico. Nearly all of that travel was done in an automobile which afforded me and my assistants opportunities to make stops and side trips wherever there appeared to be opportunity to observe the Mexican peon migration and its effect upon the communities into which it was pouring.

The claim that these peons should be admitted in large numbers because their labor is needed on farms, on railroads, in mines, in industry, and elsewhere, is a repetition of the arguments which have been made by the same or kindred interests against every proposition to restrict immigration from Asia and Europe throughout the struggles of the country to protect itself against the perils which such immigration has threatened and in disturbing measure, actually brought.

In every instance, after the country became aroused and carried its restrictive policy farther, such action has proven that the claims of the objectors were unfounded.

A look into the facts of the present situation convincingly argues, as experience has in other instances proven, that sound economic policy harmonizes with the demands of racial, social, and political reasons for restriction. There is now widespread and very extensive unemployment in the United States. A practically unlimited amount of data proving this could be presented, but the fact is too well known to require proof.

I have seen this unemployment in many regions and have noted the disturbing fact that Mexican peons are being employed in great areas of the country at lower wages and under much worse living conditions to the displacement of native white and negro workers. The extent of this unemployment and displacement has been and is extremely distressing.

My effort has been to study this question entirely from the standpoint of the welfare of my fellow Americans and the Nation, now and hereafter. The ignorance, poverty, and lowly condition of these unfortunate Mexican peons and their bad prospects for the future excite pity. If hostility to them has colored my findings of fact or conclusions as to the policy dictated by the public welfare, I have not been conscious of it.

I am quite sure that I have not approached this problem, made these inquiries, visited these regions, and reported my findings as the hired servant of men or corporations, whose object is present money-getting, regardless alike of consequences to their fellow Americans who must toil for the necessities of life and of the welfare of their country and of posterity.

The information I have gathered from all sources mentioned convinces me that the conclusions reached from our joint survey are correct and fully support the policy of our committee in reporting and urging the passage of legislation to restrict the incoming tide of Mexican peon immigration.

#### IMPORTED MEXICAN PEON LABOR AND THE FARM PROBLEM

I solicit the attention of the Members of this House and others studying this problem while I undertake a brief development of the effect of the importation of these pauper peons upon the farmers and farm life of the southwestern and southern portions of the United States.

The displacement of American farm workers, tenants, and small home-owning farmers, their impoverishment, and the consequent injury to the rural life of the South and Southwest, inevitably result from the lack of prosperity among American farmers. These are to a large extent caused by unfavorable marketing conditions under which farm products are sold. This last is substantially aggravated by the importation of many thousands of low-grade peons being poured into farms and rural communities. I shall dwell but briefly upon the overproduction of agricultural commodities in order to make plain that the importation of this labor tends strongly to the further injury of the people who have throughout the history of the country, constituted the body of the wholesome farm population of the Nation. One of the several major factors working toward the impoverishment of farmers and people who live by farm labor and from the products of small and moderate-sized farms is the overproduction of their marketable crops, as measured by the consuming and buying power of those to whom they must be sold.

The following quotations from the Agricultural Outlook for 1930, issued by the United States Department of Agriculture January 7, 1930, show this situation:

#### CATTLE

The prospective increase of beef cattle, and dairy production during the next five years, with little prospect of compensating increases in demand, will tend to depress rather than raise the gross income of farmers.

Grazing is likely to suffer seriously within the next few years from expansion in the number of cattle, particularly in the Corn Belt.

Range growers should guard against losses likely to result from making additional capital investments in the cattle enterprise with a period of falling cattle prices not far away.

#### WHEAT

Wheat acreage expansion is going forward in the face of competition from many countries of the world and with a possibility of a downward long-time trend of wheat prices.

#### LETTUCE

With the continued tendency toward the expansion of lettuce acreage, particularly in California and Arizona, the industry is facing a real problem in the orderly distribution of the crop. \* \* \*

Growers should not, however, assume that markets can be expanded sufficiently to absorb a large immediate increase at the present level of prices.

#### TOMATOES

In spite of heavy losses to the fall crop in Florida and Texas there is danger that the spring planting in these two States and in the Imperial Valley of California is being overdone. \* \* \*

If growers in the early States have carried out the full acreage in the dimensions reported, they face much lower returns than were received in 1929. \* \* \*

Acreage in the second early States (South Carolina, Georgia, Louisiana, Mississippi, and Texas) shows a pronounced upward trend, having trebled from 1918 to 1928. \* \* \*

Any further increase in 1930 appears extremely inadvisable.

#### ONIONS

Onion growers in most States will find it to their advantage to somewhat reduce their acreage in 1930 as compared to 1929.

## CITRUS

A slightly downward trend is now indicated, but production is on a high level, and the industry is still confronted with a difficult marketing problem. \* \* \*

In view of the prospective large increase in production, especially of grapefruit, during the next few years, and the probable depressing effect on prices, only those with a background of wisdom and skill in production that comes from successful experience or adequate training should contemplate new acreage, even for replacement purposes.

This House and the reading public of the United States are familiar with the great effort now being made by the National Farm Board to reduce the acreage of cotton.

A special committee of trained and able business men selected by the United States Chamber of Commerce and the Industrial Conference Board to investigate "the condition of agriculture in the United States and measures for its improvement" in its carefully prepared report made in 1927, page 104, said:

It is clear that the overexpansion of our agricultural area due to all these forces is to a large extent responsible for the present agricultural difficulties.

In discussing the unfavorable situation and prospects for cotton growers, the same report, page 68, said:

The situation in cotton is further adversely affected by the great expansion of cotton acreage which has taken place during recent years. The acreage rose from 33,036,000 acres in 1922 to 48,730,000 in 1926. The increase is in the main due to the development of cotton production in the western parts of Texas and Oklahoma. \* \* \*

Under the influence of all these factors one cotton farmer in west Texas or west Oklahoma is able to attend to 100 or more acres of cotton and to produce his crop at a cost far lower than the cotton farmers in the eastern parts of the belt. It is largely the competition from these newly developed regions which is holding the price of cotton at a level insufficient for most farmers in the older cotton sections.

Very much of such crops as lettuce, tomatoes, onions, citrus fruit, and cotton are being grown by this imported labor. Our committee and Congress have been urged to continue the present exemption of Mexico, the West Indies, and Latin America from the quota restrictions of the immigration law in order that the cheap and subservient labor coming from those regions may continue, and that in face of the fact that it augments this overproduction of agricultural commodities. One of the gentlemen who pressed this demand most insistently was Mr. C. B. Moore, manager-secretary of the Western Growers' Protective Association, who advised the committee that the regions and growers represented by him needed some 80,000 transient laborers, in addition to their regular employees, to engage in the production of crops grown in southern California and Arizona, prominent among which is lettuce. Within a few weeks after Mr. Moore had made this statement to the committee the same Mr. C. B. Moore, speaking for the same interests and in connection with a labor strike in those regions, according to a report in the Los Angeles Times of February 19, 1930, said:

Under present strike conditions there is too much lettuce being shipped, and yesterday it became necessary to bring into action the Imperial Valley Lettuce Clearing House in order to restrict shipments to 250 cars a day \* \* \*

Lack of profitable lettuce markets in the East and other parts of the United States, due to financial depression, may make it necessary for the growers to curtail their shipments further; and if lettuce must be thrown away, the field is the best and cheapest place to leave it. The present price of lettuce is below the cost of production.

The Los Angeles Times, from which this statement is taken, is one of the diminishing number of publications continuing to insist on the admission of more and yet more Mexican peon laborers. Others who have taken substantially the same position taken by Mr. Moore have had their statements overwhelmed by undisputed developments in their own communities which became known to the committee and to the public.

The report of the commission selected by the United States Chamber of Commerce and the Industrial Conference Board quoted above points to the enormous increase in the cotton acreage of western Texas and Oklahoma. It could have been as truly stated that large amounts of cotton are being produced on irrigation projects in other southwestern localities during recent years. The gentleman from Texas [Mr. Box] visited some of these cotton-producing irrigation projects during recent months and saw a great acreage now producing heavy crops of cotton, which only a few years before he had seen in sheep and cattle ranches. Large fields of fertile irrigated land are producing several times as much per acre as the average land throughout the Cotton Belt. Towns have grown where only railroad sidings or small stations with a few adjacent cottages formerly existed. Large gin plants, with the yards surround-

ing them covered with cotton wagons and bales of cotton already ginned and pressed, are located where sheep, goats, and cattle grazed only a few years before. Farther to the north and east, in the semiarid regions formerly believed to be unsuited to anything but grazing purposes, are now vast fields of cotton, where an individual hired worker, usually working for a non-resident landowner, can cultivate three to four times as much acreage in cotton as can be tilled by the owner or tenant of the small or moderate-sized farm, who has heretofore produced the bulk of the Nation's cotton crop.

Many of the pleas made before the House committee for the admission of these Mexicans as farm laborers have specified that they are wanted to grub new land and cultivate and gather cotton and truck crops. That class of labor has done most of the work necessary to this great expansion of the cotton-producing acreage. They are undoubtedly adding annually hundreds of thousands, if not millions, of bales to the cotton crop of the Southwest.

It would be hard to imagine anything more absurd than the plight of our Department of Agriculture and the National Farm Board in pointing out the ruinous overproduction of these crops, particularly cotton, while at least some of these same officials have urged the public and your committee to continue, facilitate, and increase the overproduction against which they warn by the admission of alien Mexican laborers to do this work, mainly for speculative nonresident farmers.

Every alien Mexican laborer who helps to do any of this work is in direct competition with native white and colored farm workers, farm tenants, and farm home owners, looking to their own labor and the soil rented or owned and worked by them for a livelihood. Under these conditions there is neither fairness nor promise of success in any effort to induce average tenants or farm owners to lessen their acreage of such crops when they know that their self-restraint will be to a large extent nullified by the increase of production by imported alien laborers working for speculative, nonresident employers.

I am not speaking of real-estate boomers; neither am I including large landowners who want their estates tenanted by peons and peasants; but farmers who, with their families, live by labor on farms, know the situation which I am describing. As showing that farmers in the regions covered by this invasion and elsewhere, see this situation as it is, I now ask that the Clerk may read the following extracts from letters and statements made to me or to me and my colleague [Mr. JENKINS] on this phase of the problem:

If our farmers are raising a surplus why should they import more laborers to create more surplus? (Mrs. Elsie J. Bozeman, county superintendent of schools, Hanford, Calif.)

"Tendency" is too mild a word. It has already gone far toward completely displacing native farm labor and tenants. Only selfish Americans desire Mexican immigration. I have seen constant and increasing evidence of development of a situation very harmful to American life (of a desirable type). (Elmer C. Nash, realtor and school-teaching, Tucson, Ariz.)

They almost clean out white laborers on the farm. They are of no credit to any country. (M. A. Shipman, farmer, Westminster, Colo.)

If the sentiment of the whole people of east and west Texas could be obtained, a large majority would favor the Box bill. The Mexican can take a frying pan, 50 cents worth of beans, a blanket, and work a week. American white people can not compete with their labor. Am above an average cotton farmer of this section. If I can not get my cotton gathered without them, the next year I won't plant so much and neither will others. The reduction in acreage is about all that is going to help us cotton farmers. We ought to favor your bill. (A. M. Coleman, farmer, Roscoe, Tex.)

The large landowners of south and west Texas import this cheap labor into Texas to grow cotton and other farm products in competition with our native-born citizens. How many years will it take, if conditions are allowed to remain as they are, before our Mexican immigrants will hold the balance of power in the election of our State officers? (R. H. Calmess, farmer, Huntsville, Tex.)

Let this committee compare the needs of individual farmers, real Americans, who depend on the land for a living and on whom our integrity as a Nation depends, with those of a few big agricultural companies, not farmers themselves but capitalists, not dependent for a living on the earnings of farms, and decide which is the most legitimate need. (Conrad Frey, physician and farmer, Melvin, Tex.)

The same state of mind prevailed among the early cotton planters of the eighteenth century in regard to cheap labor as represented by the negro slave trade. To-day we clearly see the evils of our negro problem. Farsighted Americans can never allow ill-educated groups to pollute our already polyglot streams with the lowest types of Central Americans. (M. M. Kornfeld, Houston, Tex.)

These \* \* \* and the Southwest Texas Chamber of Commerce are interested in cheap labor, quick profits, and to hell with the good of our country. (J. Middleton, post commander, American Legion, Texas.)

This is one of the reasons that the farmer of Texas finds it impossible to improve his condition. He has to compete with the peon class of Mexicans in raising and selling his cotton crop. I dare say that more than 1,000,000 bales of last year's cotton crop of Texas was raised by such a class of farmers. This is one way of giving the cotton farmers some relief, by placing Mexico and other countries under the same quota applying to European immigration. (M. J. Tibbitt, farmer, Route 1, Victoria, Tex.)

This is to inform you that the farmers of the Rio Grande Valley are 95 per cent for the Box bill. (Charles Worbs, Las Cruces, N. Mex.)

If you can get the Mexican quota you will have done more for the cotton farmers than all the farm boards that could be appointed. The big cotton farmers in south Texas, who plant thousands of acres, make and gather it with Mexican labor. They branch out all over west Texas and wind up on the south plains. All the farmers I have talked with are in favor of restrictions. (T. D. Weddington, aged farmer, Hale Center, Tex.)

I live in the northern part of New Jersey, in the heart of an agricultural district, surrounded by manufacturing cities. There are some Mexicans in this section; not what might be termed a great many. They are not needed on the farms or in the cities. They are degraded, dirty, immoral, and wholly undesirable. (William H. Gould, Route 1, Clifton, N. J.)

The native white laborer and small farmer needs protection against this influx of alien labor. It is the howling minority that clamor for this class of labor. (Ernest Bond, Beeville, Tex.)

As a farmer and one that speaks this Mexican lingo as fast as they do, can say that we got all the Mexicans in U. S. A. than we need, and more, too. (G. N. Wilson, merchant and farmer, Midland, Tex.)

I am writing to you again in regard to the immigration question, because a good deal of misinformation is being sent out by chambers of commerce, land promoters, etc. \* \* \* I have talked with a lot of small farmers, and they are against unrestricted immigration. (F. C. Simon, Harlingen, Tex.)

As tending to prove that the average American cotton grower can not compete with peon Mexican labor, working under prevailing conditions in the production of cotton, I ask that the Clerk read the following excerpt from the Farmers Marketing Journal of February, 1930, showing that cotton production is cheapest where Mexican labor is used under the conditions prevailing in those regions:

One of the counties, Nueces, and one of the best locations in the county, Robstown, for producing cotton cheap, tested the cost out on 10,000 acres for 1929. Here the land is level and the rows long. Two rows at a time have the stalks cut, the land bedded, dragged off, planted, and cultivated by tractor or team, as preferred. The labor, Mexican, is the cheapest in the belt for both chopping and picking. The test was made by the county agent in cooperation with the chamber of commerce and farmers. The per-acre cost for one-third of a bale per acre was \$84.43.

Cotton and truck farmers of Louisiana see this Mexican invasion pouring into or across their State and recently petitioned their Representatives in Congress to see that the bill now pending—the one reported by the committee—is passed before Congress adjourns. I ask that the Clerk be permitted to read the following excerpts from the Oakdale American telling of the movement among the cotton and truck farmers of that region to hasten the passage of this legislation:

The farmers of this vicinity and surrounding territory, in a petition which is being circulated and signed by the farmers, are requesting Congressman R. L. DEROUEN, Congressman from this district, to stand by Congressman Box from Texas and Congressman JOHNSON from Washington, to see that the Box bill is passed before Congress adjourns.

The petition reads as follows:

"We, the undersigned farmers of Oakdale vicinity, hereby appeal to you to stand by your guns and demand the passage of the bill restricting Mexican immigration before Congress adjourns. It is an established fact that these peon people are coming over the river in lots of hundreds, and that the big cattle ranches are being devoted to cotton culture, the owners depending on this cheap imported labor. The cotton acreage movement will amount to a farce unless the flood from across the Rio Grande is effectually stopped."

There is a national movement on foot to decrease the cotton acreage in the South from 46,000,000 acres to 40,000,000, while the farmers of the four Western States increase their acreage, thus forcing the price of cotton down. The farmers of the South are preparing to fight this immigration, and if they don't the old cotton industry of the South will be killed.

During the past fall hundreds of Mexican peons passed through this part of Louisiana going to Arkansas to work in the fields. When they passed through it was stated that they were only borrowing them until the harvest was over, but it was revealed that the largest percentage of them remained in the States.

The Oakdale soil and climate can not be beat anywhere in the United States, and experts have declared the products produced from this territory to be perfect \* \* \* but the farmers can not compete with the Mexican labor and Rio Grande prices on truck shipped to northern markets. (Oakdale (La.) American, March 7, 1930.)

I pass over many other statements of the bad effects of this immigration upon the economic and social life of agricultural people and their communities, which could be quoted if time permitted, to read a copy of what the Colorado State Grange said on this subject during 1929:

*Be it resolved*, That the Colorado State Grange go on record as favoring an amendment to the immigration laws of the United States so as to provide a restriction and a limitation to immigration from Mexico in the same manner as limitations are now applied to all other foreign countries; and that we favor the passage by Congress of the Box bill, which would set limitations on Mexican immigration based on intelligence, health, morals, and character of the immigrants, and restrictions as to the number to be admitted, to conform to restrictions applied to immigrants from European nations.

Mr. EATON of Colorado. If the gentleman will permit, will the gentleman insert in the RECORD the date of the statement of the Colorado State Grange?

Mr. BOX. I will try to do that. I know it was during the year 1929, and I so state in my remarks. The action was taken by the State Grange at its regular annual meeting, held January 15, 16, 17, 1929. See Journal of Proceedings Colorado State Grange, Fifty-fifth Annual Session, page 55.

Recently the House Committee on Irrigation and Reclamation held extensive hearings on a proposition for the improvement of rural communities. I now ask that the Clerk be permitted to read a short excerpt from a statement made before that committee about conditions being created by general economic developments among farmers in the cotton-producing regions of South Carolina.

The southern farmer has been starved off the farm and is now flocking to the mills and the centers of industrial activity. There are five or six times as many men clamoring for jobs in the mills as can be accommodated there. (Hearings House Committee on Irrigation and Reclamation on organized rural communities, Jan. 27, 1930, pp. 24-25.)

As indicating the condition which a Texas worker would find on leaving the farm and going to some of the textile mills of that State, I ask that the Clerk read the following statement prepared by me from a statement compiled October 25, 1929, by the Texas commissioner of labor:

Oriental Textile Mills, Houston, Tex.—Nationality of employees: Americans, 46 per cent; Mexicans, 54 per cent.

El Paso Cotton Mills Co., El Paso, Tex.—Nationality of employees: Americans, 5 per cent; Mexicans, 95 per cent.

San Antonio Cotton Mills, San Antonio, Tex.—Nationality of employees: Americans, 9 per cent; Mexicans, 91 per cent.

The situation created by this immigration has been growing worse for some years. The survey made by me and the gentleman from Ohio, my colleague on the committee [Mr. JENKINS], shows that it still exists and has been growing worse during recent months. The law now in force, which I sought to have applied to Mexico and other countries of the Western Hemisphere, was enacted in 1924. Those who claim that the present law and its enforcement are sufficient to meet the present situation should explain why it has not done so. Immigration from Mexico coming through the stations averaged more than 55,000 per annum from the enactment of the present law to the close of the fiscal year 1929. It is true that during the last six months there has been a great falling off of that portion of this immigration which comes through the stations, but this period is included in a time of widespread unemployment throughout the United States, which invariably reduces temporarily the number of incoming immigrants.

Unemployment and hunger, from which thousands of Mexican immigrants suffer while in the United States during periods of unemployment, check the coming of such immigrants. During recent months many have been so hungry that they have been seen feeding from garbage cans in back alleys in several American cities. Of course, that checks immigration. A revival of industry always increases the number of such immigrants, unless the law fixes quotas as is proposed in the pending bill.

The volume of Mexican immigration fluctuates under many influences, one of which is revolutionary disturbance. There has not been a revolution in Mexico within the last six or eight months, which would at least partially account for a decrease in Mexican immigration. The rising and falling of the volume of Mexican immigration is not entirely controlled by the discretion of any department of the Government as to

whether it will enforce the law. For instance, during the year of 1924 immigration from Mexico amounted to 87,648. During 1925, the next year, the number of Mexican immigrants coming through the stations dropped to 32,378, a decrease of about 63 per cent. Nobody pretends that our State Department was then in an aroused condition, engaged in an effort to enforce the parts of the immigration law for the administration of which it is responsible.

Unless the law is changed, as proposed in the bill reported by the committee, you will have hereafter the same law and the same enforcement organization which you have had while these immigrants were pouring into the country creating present conditions.

If it is claimed that the State Department has been aroused to enforce the law better during recent months, some of us rejoice over the awakening, though it was much belated, and would like to see a statute enacted which will require that the enforcement agencies of the Government hold the figures down to the rate proposed in the pending bill. We want to nail the proposition down. If any of the departments have slept several years of the past decade, we would like to make sure, if possible, that they will be kept awake hereafter.

This legislation is necessary. Your committee believes it, as shown by a report signed by 18 of its 21 members. The country believes it. If you doubt this last statement, get in touch with the people whose support has backed all the restrictive legislation heretofore written.

Mr. GREEN. Will the gentleman yield?

Mr. BOX. I yield.

Mr. GREEN. Is it not the fact that a large number, in fact hundreds, of civic organizations in the vicinity of the Rio Grande, in the southwestern part of our country, for months and years have petitioned our committee for the passage of this legislation?

Mr. BOX. That is unquestionably true.

Mr. GREEN. And is it not the fact, as the gentleman has well stated, that the economic condition not only of that section of the country but of the country generally at this time makes it imperative that we stand for restricted immigration?

Mr. BOX. The demand is imperative. It is a crime against our unemployed, hungry people to have alien people here by the thousands—and there are hundreds of thousands of these people—taking their work at smaller wages and living under conditions which I hope will never confront the American people. [Applause.]

Great questions like the immigration problem are not quickly worked out and settled by legislation properly enforced. Many of them are continuing in their nature. When will the struggle between the selfish special interests and the rights and interests of the people end satisfactorily? The tariff has been in dispute since the time of Hamilton.

The slave trade and slavery were in controversy for 75 years. The contest over the liquor traffic has lasted through many decades.

It is hard to arouse the country and Congress and keep them aroused on this or other important subjects. Chinese exclusion was accomplished only after 25 years of effort, with several administrations and the State Department opposing throughout the struggle. General immigration restriction, as accomplished in the immigration act of 1917, came after a struggle of more than 30 years. The quota act of 1924 was passed after many more years of effort and in the face of the known opposition of the State Department. I hope the success of the effort represented by this bill will not be so long delayed, but its passage will be worth any amount of patient labor and fighting. If the people know their true interests, as we believe they do, they will not become discouraged and not cease to sustain those of us who are fighting against many secret and open opponents and against odds for a cause which involves the welfare of the people themselves and their country now and hereafter. [Applause.]

Mr. HOLADAY. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. TREADWAY].

Mr. TREADWAY. Mr. Chairman, on Thursday last the gentleman from Texas [Mr. GARNER] and myself entered into a colloquy having to do with the attitude of the Republican Party in Massachusetts on the subject of the tariff. Let me quote the language of the gentleman in a colloquy which he also had with my colleague, the gentleman from Massachusetts [Mr. STOBBS]. The gentleman from Texas used these words:

One of your spokesmen, sir, was bold enough, as you are now, to say before the Ways and Means Committee, that he understood the Republican position to be that you were for free raw materials and protected manufactures.

In this statement you will notice the gentleman from Texas uses the word "spokesmen," endeavoring to carry the impression to the minds of the Members of the House that the gentleman, who was a witness before the Ways and Means Committee, spoke in behalf of and as the representative of the Republican Party and its attitude in Massachusetts toward protection.

I took exception to the gentleman's remarks, and later on I looked up the actual testimony, and in fact the gentleman from Texas afterwards inserted the testimony in the RECORD. The actual testimony which appeared in the hearings of the Ways and Means Committee, the statement to which the gentleman referred, and which he put in the RECORD was given by Mr. Henry M. Channing, who represented before the committee the Atlantic Gypsum Products Co. of Boston.

Mr. Channing appeared here as counsel only for that company, but, nevertheless, in the manner which our good friend from Texas is so competent of following, he tried to put in the mouth of Mr. Channing certain words that would indicate an expression of opinion which Mr. Channing himself did not make.

Now I am not a lawyer, but it is my understanding that if an attorney is engaged to represent a client it is his job to talk for that client, and that is what Mr. Channing was doing when he appeared before the Ways and Means Committee. He appeared as the attorney of the Atlantic Gypsum Co. solely, and not as the spokesman for the Republican Party.

Further than this, Mr. Chairman, there is nothing in the evidence submitted to the committee at that hearing to show that Mr. Channing is even a member of the Republican Party. I have since checked it up and find that he is, but he did not appear before the Ways and Means Committee as such. He appeared as a member of a legal firm in Boston appearing here on behalf of his client.

Now, even this witness that the gentleman from Texas [Mr. GARNER] said spoke by the word for the Republican Party, repudiated the very words that Mr. GARNER tried to put into his mouth. Let me quote from the RECORD. Mr. GARNER said:

Well, I say, you want free raw material for New England purposes, regardless of what effect it may have on the balance of the country.

And Mr. Channing's answer was "No."

Mr. McDUFFIE. Will not the gentleman read the first question and the answer?

Mr. TREADWAY. I will be very glad to reinsert the whole thing if the gentleman cares to have it.

Mr. McDUFFIE. There is no need to reinsert the whole statement.

Mr. TREADWAY. I do not know just what the gentleman refers to. I have the RECORD here where Mr. GARNER extended his remarks.

Mr. McDUFFIE. Mr. GARNER put practically the same question to him, just a paragraph or two above that, and he answered "Yes."

Mr. TREADWAY. Here is the RECORD, and if the gentleman will find it, I will be pleased to read it.

Mr. McDUFFIE. I think I can find it.

Mr. TREADWAY. So that, in spite of this gentleman coming here as a stranger, not knowing the very clever manner in which the gentleman from Texas handles witnesses, even then Mr. GARNER could not get the witness to testify that he had said something that he [Mr. GARNER] wanted to have appear as his testimony.

He did not do it. Now, in order to corroborate what is said about the position of this gentleman, Mr. Channing, I hold in my hand two telegrams. It so happens that the Atlantic Gypsum Co. is practically a New Hampshire concern, so that Mr. Channing was appearing for the New Hampshire company rather than a Massachusetts company, but that is neither here nor there.

The principal owner of the Atlantic Gypsum Co. is an ex-Governor of New Hampshire. May I interject a word at this point and say that the present Governor of Massachusetts, His Excellency Frank G. Allen, is honoring us by sitting on the floor at this time? [Applause.]

A telegram was sent by our colleague [Mr. HALE] to former Governor Winant, asking for information as to Mr. Channing, and he uses these words:

WASHINGTON, D. C., March 20, 1930.

HON. JOHN G. WINANT,

Concord, N. H.:

Controversy has arisen over Channing's testimony before Ways and Means Committee as to his statement of Republican policy of protection in New England. Who is Channing? Is he a Republican? By what authority or on what information did he assume to speak for Republicans of New England?

FLETCHER HALE.

Now, Governor Winant happened to be, when the telegram was sent to him, in Florida, but his legal representative in Manchester, N. H., wired back as follows to Mr. HALE:

MANCHESTER, N. H., March 21, 1930.

HON. FLETCHER HALE,

House of Representatives:

Winant has wired, asking me to answer your inquiry. Henry M. Channing is Boston lawyer, senior partner Channing, Corneau & Frothingham, 18 Tremont Street, and general counsel Atlantic Gypsum Products Co. Is a Republican; has never held public office or taken active part in party affairs; appearance before Ways and Means Committee solely on behalf of Atlantic Gypsum Co. on gypsum item, and had no political significance. Has never appeared before congressional committees on any other tariff matters. Did not attempt to speak for New England Republicans, nor to define policy of Massachusetts Republicans on tariff matters. Argued that Republican tariff act of 1920 removed duty on gypsum imposed by Democratic act of 1913, and thereby encouraged investment in plants similar to that of Atlantic Gypsum Co., and that Congress should not now reverse this policy, which will wipe out large investments and increase prices of building materials to consumer.

JOHN R. McLANE.

I think that identifies Mr. Channing very conclusively as in no way authorized to speak for or in behalf of the Republican organization, whether in New Hampshire or in Massachusetts.

When the gentleman from Texas secured permission to extend his remarks by printing the testimony before the Ways and Means Committee he included in that a very brief paragraph from the testimony of J. Frank McElwain.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. HOLADAY. Mr. Chairman, I yield the gentleman five minutes more.

Mr. TREADWAY. The inference was the same that McElwain was speaking for the Republicans of Massachusetts. Now, who is McElwain? Everybody who has had anything to do with making tariff bills knows who he is, because he has been an insistent and persistent caller on us for two years.

Here is what the gentleman quoted from Mr. McElwain.

Mr. McDUFFIE. I call the gentleman's attention to the paragraph I was alluding to in the testimony of Mr. Channing. It is as follows:

Mr. GARNER. Mr. Channing, if I understand you, you made this investigation and started these three plants—one in New York, one in New Hampshire, and one in Pennsylvania—upon the theory that the New England idea of protection would continue to prevail, and that they would give you raw material free and give you protection on your manufactured article?

Mr. CHANNING. Yes, sir.

Mr. TREADWAY. Well, I do not think that helps the case any; I do not see where that paragraph connects up Mr. Channing as speaking for the Republican Party.

Now, what occurred with reference to Mr. McElwain? I am quoting from the extract which Mr. GARNER put in the RECORD, which will be found on page 5736:

Mr. RAMSEYER. Now, you are asking a duty of 25 per cent on all shoes?

Mr. McELWAIN. Yes, sir.

Mr. RAMSEYER. And boots?

Mr. McELWAIN. Yes, sir.

Mr. RAMSEYER. And you are asking for free trade in hides?

Mr. McELWAIN. Yes, sir.

Then Mr. GARNER calls my attention to the statement and colloquy with the gentleman from Worcester [Mr. STOBBS], which was later taken out of the RECORD, I believe, as not being accurate. There again the gentleman from Texas fails to make out his case that the witness is a representative Republican of the State of Massachusetts. It so happens that his business is done in the State of New Hampshire, and he was here not speaking for the Republican Party in any sense, but speaking in behalf of an organization anxious to secure tariff rates. That is the whole reason for Mr. McElwain and Mr. Channing being present.

Mr. GARNER. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. Yes.

Mr. GARNER. Does the gentleman know of any witness who did appear before the committee speaking for the Republican Party?

Mr. TREADWAY. On the tariff bill?

Mr. GARNER. Yes.

Mr. TREADWAY. No; I do not. Perhaps the gentleman does.

Mr. GARNER. That answers the question. No one of them came purporting to speak for the Republican Party, but they came from New England; and they announced the Republican doctrine of New England, namely, free raw material and protection for the manufactures. Would the gentleman agree that the House may consider the Senate amendments to the tariff bill so that he may put himself on record to say whether he does or not?

Mr. TREADWAY. I am not ashamed to be put on record, and I am on record in probably every schedule that is in the tariff bill. I do not need to have any further record at the instigation and the whip of the leader from Texas. If that does not answer the gentleman, I will be very glad to answer the gentleman further at some other time.

Mr. GARNER. I still request the gentleman not to make a monopoly of himself, and to give his colleagues an opportunity to go on record.

Mr. TREADWAY. I am very certain that my colleagues on the Republican side of the House will take their Republican doctrine from the Republican leaders rather than from the gentleman from Texas; and he will find that to be true when it comes to a question of referring the tariff bill to conference. [Applause on the Republican side.]

The gentleman from Texas disputed my statement the other day when this colloquy occurred as to what Republican doctrine in Massachusetts and New England is. It is not what he claims it is—that is, free raw materials and protecting the industries. That is not our doctrine. We believe in fair play to all sections of the country, and we in New England are asking only our fair share under the laws and expected laws of the United States in comparison with the other sections of the country. We can not prosper in New England unless the rest of the country prospers. We are only asking the same consideration at the hands of Congress in behalf of New England industry that you are asking us to give to agriculture in the States of the West. Team play, the United States first, last, and all the time. [Applause on the Republican side.]

Mr. CANNON. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. O'CONNELL].

#### PROHIBITION—A COSTLY AND FALLACIOUS EXPERIMENT

Mr. O'CONNELL of New York. We need a scientific approach to the study of the liquor problem in this country. Too often protagonists, either for or against prohibition, have presented only those facts which support their position, and have ignored or failed to give proper weight to those facts which are unfavorable. The result is a distorted and confused picture. We may well follow Professor Chaddock's counsel:

When several factors are involved in producing a specific result, conclusions should not be drawn from the measurement of only one factor. The attitude of mind should not be that of the debater who counts on stating his case in the strongest possible terms, allowing his opponent to check up and refute by such arguments as he can find. The effort of the scientific investigator should be to weigh and measure every known factor in the problem before hazarding a conclusion.

It must be admitted that the known factors in our problem are relatively few. Before prohibition, it was possible to gage accurately the annual per capita consumption of liquor. Now that the liquor traffic has been outlawed, we must rely on various indexes of intemperance and on Federal enforcement statistics for indications of the amount of liquor available and the continuation of intemperance since prohibition became the law of the land.

Certain indexes of intemperance are accepted by both wet and dry partisans as valid; deaths from alcoholism, alcoholic insanity, acute alcoholic patients treated in public hospitals, and arrests for drunkenness. Unfortunately records of alcoholic insanity and acute alcoholism are available in only a few States and cities. We must therefore rely chiefly on deaths from alcoholism and arrests for drunkenness for an adequate picture of the growth of intemperance throughout the country.

A brief summary of Federal prohibition enforcement statistics for each fiscal year from 1920 to 1928, inclusive, indicates the rapid growth of the illicit liquor industry. The number of pieces of distilling apparatus seized has increased from 95,933 for the first full year of prohibition to 261,611 in 1928. The total amount of liquor seized has increased from 5,805,000 gallons in 1921, the first full year, to 32,474,000 in 1928. Federal arrests of prohibition violators show a similar increase. In 1921, 34,175 persons were arrested for such offenses. With the exception of a slight drop during 1925 and 1926, there has been a steady rise in the number of arrests, culminating in 75,307 in 1928. Convictions in Federal courts have increased

from 17,962 in 1921 to 58,813 in 1928. This is a more significant figure than the increase in arrests.

TABLE I.—A summary of prohibition enforcement  
[From annual reports of Prohibition Unit]

Year ended June 30—	Arrests	Convictions	Seizures	
			Distilling apparatus	Liquor, all kinds
1920.....	10,548	4,315	15,416	153,735
1921.....	34,175	17,962	95,933	5,805,297
1922.....	42,223	22,749	111,155	8,622,230
1923.....	66,936	34,067	158,132	14,346,632
1924.....	68,161	37,181	159,176	15,827,189
1925.....	62,747	39,072	172,537	18,716,259
1926.....	58,391	41,154	161,979	28,741,810
1927.....	64,986	36,546	208,073	29,170,831
1928.....	75,307	58,813	261,611	32,474,234

To keep pace with the steadily increasing volume of prohibition cases our Federal district courts have been reduced to the status of police courts. In 1928 convictions of prohibition violators accounted for 70.4 per cent of all convictions secured in Federal courts. The civil cases growing out of prohibition (chiefly padlock injunctions) accounted for 46.3 per cent of all civil cases tried in Federal courts. Resort to "bargain-day" methods in prohibition cases is now an established procedure, for 90 per cent of the convictions in these cases are secured through pleas of guilty. In the greater number of these cases the defendant agrees to plead guilty, on the assurance of the court and prosecutor that a fine and not a jail sentence will be imposed.

The increase in the conviction of prohibition violators and in the amount of contraband liquor seized may indicate either more effective enforcement or that the illicit traffic is outstripping all efforts at control. The fact that all available indexes of intemperance—deaths from alcoholism, arrests for drunkenness, alcoholic insanity, and acute alcoholism—show a corresponding increase, indicates that so far, at least, the enforcement agents are simply taking larger samplings each year, without curtailing or preventing the spread of the illicit traffic.

#### DEATHS FROM ALCOHOLISM

The steady increase in the supply of contraband liquor is reflected in the rise in the deaths from alcoholism since 1920. In the two years before national prohibition the United States Census Bureau reported a sharp drop in the alcoholic death rate. This decrease continued through the first year of prohibition, but beginning with 1921 there has been a steady rise. In 1920 the rate for the 1910 registration States was 1.2 per 100,000; in 1927 it was 5, an increase of 318 per cent. The 1927 rate is 79.3 per cent of the 1916 rate, the peak year before prohibition.

#### ARRESTS FOR DRUNKENNESS

There is no official tabulation of arrests for drunkenness for the entire country. The Moderation League has compiled the annual figures of arrests for drunkenness for over 500 communities. The figures of the Moderation League have been criticized because no allowance has been made for the increase of population which has taken place from the period from 1914 to 1927. From the records of the Moderation League we have compiled arrests for drunkenness for 385 towns and cities for all years from 1914 to 1927 and have calculated the rate per 10,000 population. The annual population was estimated on the basis of the arithmetical increase from 1910 to 1920. I believe these figures are representative of the entire country, for they include about 26 per cent of the entire population of the country and 51.4 per cent of the urban population of the country. Chicago was omitted from our tabulation because arrests for drunkenness in that city are included with arrests for disorderly conduct.

In the accompanying table is given the rate of arrests for these 385 places. These cities and towns have been subdivided into four groups according to size, with the rate of arrests for each group of cities. For the entire group the rate of arrests for drunkenness shows a decrease from the peak year of 1916 from 193 per 10,000 to 71 per 10,000 in 1920. Since 1920 there has been a sharp rise up to 1923. From 1923 to 1925 the figures are almost stationary, followed by a slight rise in 1926 and 1927. The 1927 arrests show an increase of 106 per cent over 1920, the lowest year. The rate of increase has not been uniform. In towns under 20,000 and in towns between 50,000 and 250,000 there has been a slight decrease since 1923, while in towns from 20,000 to 50,000 and in cities over 250,000

there has been no decrease since 1923, though the increase has been much less marked.

TABLE II.—Arrests for drunkenness and rates per 10,000 population in 385 cities, 1914 to 1927

Year	All places		Under 20,000 population		20,000-50,000 population		50,000-250,000 population		Over 250,000 population	
	Arrests	Rate	Arrests	Rate	Arrests	Rate	Arrests	Rate	Arrests	Rate
1914.....	465,753	187	45,871	218	50,433	197	117,567	198	251,882	176
1915.....	465,730	183	44,665	209	53,141	203	119,979	197	247,945	170
1916.....	502,477	193	43,132	199	58,342	217	140,156	225	260,847	175
1917.....	482,053	182	41,738	189	53,296	193	127,232	199	250,817	171
1918.....	371,142	137	31,514	141	38,084	135	96,030	147	205,514	133
1919.....	281,005	102	30,433	134	27,338	95	71,071	106	152,163	96
1920.....	201,229	71	16,051	69	20,867	71	61,751	90	102,560	64
1921.....	266,576	93	20,779	89	27,226	91	82,829	119	135,742	83
1922.....	358,599	122	26,059	110	34,599	113	107,393	150	190,548	114
1923.....	421,631	141	31,449	130	41,341	132	126,051	173	222,790	131
1924.....	426,309	140	31,616	129	42,961	134	122,007	164	229,725	133
1925.....	436,743	141	31,316	126	46,035	141	121,410	160	237,982	135
1926.....	452,186	144	31,204	124	46,995	141	124,837	161	249,150	139
1927.....	466,806	146	32,051	126	47,425	140	129,449	164	257,881	142

Deaths from alcoholism are a clearer index of intemperance than arrests for drunkenness, for the latter are affected to a very great extent by changes in police policy. If there were a uniform and consistent police policy with regard to arrests for drunkenness the two curves should approximate each other. It is found, however, that since 1923 the arrests for drunkenness curve has tended to flatten out, while the curve for alcoholic deaths has continued to rise. This is shown graphically in the accompanying chart, which gives the death rate from alcoholism for the registration States of 1910 and the rate of arrests for drunkenness for 385 cities.

Mr. O'CONNOR of New York. Mr. Chairman, will the gentleman yield?

Mr. O'CONNELL of New York. Yes.

Mr. O'CONNOR of New York. Is not the reason for this difference the fact that a death from alcoholism can happen only once, while a man can be arrested for drunkenness several times?

Mr. O'CONNELL of New York. The gentleman states the fact. The preponderance of deaths from alcoholism due to poison liquor under prohibition is what I am emphasizing. A man may be arrested for being drunk and live to be arrested again, but death is by far the more serious, not alone for the man himself, but for his dependents.

Arrests for drunkenness vary greatly among different cities because of variations in police policy. For example, in New York City in 1927 only 11,997 persons were arrested for drunkenness, while in Boston, which is roughly one-eighth the size of New York, 38,794 were arrested for drunkenness. In Pittsburgh, approximately one-tenth the size of New York, there were 31,759 arrests. In Detroit, which is about one-fourth the size of New York, 28,804 were arrested.

#### LIQUOR CURVES IN FOREIGN COUNTRIES

In the evidence so far presented it is assumed that arrests for drunkenness and deaths from alcoholism, particularly the latter, are an index of liquor consumption. The record of foreign countries which have dependable data bears out this assumption. Not only is liquor consumption declining in other countries, but arrests for drunkenness and deaths from alcoholism show a similar decline.

The charts which give liquor consumption and, where available, arrests for drunkenness and alcoholic deaths in foreign countries, illustrate not only the close correlation between liquor consumption and indexes of intemperance, but they show that in foreign countries, regardless of the particular form of liquor regulation, the tendency both in liquor consumption and in intemperance is consistently downward. Moreover, except in Finland, which has had prohibition since 1919, the postwar level of consumption and intemperance is far below the pre-war level.

#### PRESENT CONSUMPTION OF LIQUOR

No one knows how much liquor is now being consumed in the United States. From official and trade sources has been estimated, within reasonable limits, the materials which go into the manufacture of intoxicating beverages. From the total production of materials we have deducted the amounts used in legitimate industries. This leaves the amount which probably goes into the manufacture of intoxicating beverages. For wine and beer this process is fairly simple and reliable. In the case of spirits, however, many baffling problems are presented.

The estimate of beer production is based on the hop crop. After allowing for exports and for amounts used in near beer,

the net balance available for real beer was 12,000,000 pounds in 1926 and 20,000,000 in 1928. Allowing 0.75 pound of hops for each barrel of beer, the probable annual output of real beer is somewhere between 425,000,000 and 630,000,000 gallons. The per capita production is about 5 gallons, one-fourth of the pre-prohibition rate.

In the estimate of the amount of grapes used in wine making, there has been deducted from the total crop 25 pounds per capita for all other uses. This is a liberal allowance, for in 1917 the per capita figure for table use and unfermented juice was less than 19 pounds. On this basis, 980,000 tons were available for wine making. This accounts for 147,000,000 gallons of wine. This is over twice the pre-war quota.

Most spirits are distilled from corn sugar, and directly from grains and fruits. Corn-sugar production has increased from 150,000,000 pounds in 1921 to 905,000,000 in 1927. The per capita production in 1921 was 1.41 pounds, and in 1927 it was 7.63 pounds. The only new use we could find for corn sugar is 30,000,000 pounds used annually in the rayon industry. Allowing a per capita of from 1.5 to 1.8 pounds for legitimate use leaves a balance of from 680,000,000 to 725,000,000 pounds in 1927 to be used for distilled spirits. This would account for between 85,000,000 and 90,000,000 gallons of proof spirits.

It is fair to assume that for every gallon of mash seized at least 1 gallon of spirits was made and consumed illegally from grains and fruits. In 1928, 27,000,000 gallons of mash were seized. This is a minimum estimate. Probably as much liquor is distilled from grains and fruits as is distilled from corn sugar. The total spirits consumption now is about equal to the pre-war rate.

This brief outline accounts for the bulk of the illicit manufacture of beer, wine, and spirits. Allowance has also been made for small quantities of smuggled wine and spirits, of wine and spirits for medicinal and sacramental uses, and a very conservative estimate of the amount of denatured alcohol diverted into the illicit traffic, as well as a small allowance of spirits made from ordinary sugar, malt sirup, and molasses.

The following table is the moderations league's best tentative estimate of the probable production of illicit liquor, with estimated retail prices:

TABLE VI.—Estimated expenditure on alcoholic beverages, 1927

	Quantity	Minimum		Maximum	
		Price	Expenditure	Price	Expenditure
	Gallons				
Beer.....	630,000,000	\$0.50	\$315,000,000	\$1.50	\$945,000,000
Wine.....	150,000,000	1.00	150,000,000	2.00	300,000,000
Spirits.....	180,000,000	5.00	900,000,000	15.00	2,700,000,000
Total.....	960,000,000		1,365,000,000		3,945,000,000

It has estimated the cost to the consumer of various types of liquor. Bootleg prices are not representative of the entire country. Homemade beer can be made for less than 50 cents a gallon, and wine can be made from grapes for from 80 cents to \$1 a gallon. Spirits can be made for less than a dollar a gallon. To these minimum estimates has been added an allowance for liquor bought from bootleggers and in speakeasies.

NET SAVING IN THE DRINK BILL

Before prohibition the American Grocer, a trade paper, made reliable estimates of the annual drink bill. Based on their estimates, in 1917, the last typical year, the total drink bill for the country was \$1,817,000,000. From this amount was deducted Federal and State revenues, leaving a net drink bill of \$1,474,000,000. Allowing for the increase in population, it was estimated that if there were no prohibition the probable drink bill to-day would be \$2,500,000,000.

It is believed our minimum estimate of present expenditures is too low, but even this estimate indicates a saving of only \$1,140,000,000.

THE WORKERS' SHARE OF THE DRINK BILL

There is no reliable estimate of the proportion of the national drink bill, either before or since prohibition, which may be allocated to the wage-earning population. The United States Labor Department budget estimates in 1891 and 1918 are obviously understatements of liquor expenditures by workmen's families, for they account for only one-fifth of the average per family expenditure. It is not unlikely that there has been some net gain in temperance among wage earners through the abolition of the saloon. It can not be assumed, on the other hand,

that the disappearance of the saloon has entirely eliminated excessive drinking among workers. Probably 1,000,000 persons are arrested every year for drunkenness. Does anyone believe that all of those arrested were millionaire clubmen or captains of industry? The 18,000,000 industrial policyholders of the Metropolitan Life Insurance Co. represent a fair cross-section of the wage-earning population. The alcoholic death rate for this group parallels that for the entire country, except for a slight slowing up in the rate since 1926.

INCREASED PRODUCTIVITY

Extravagant claims have been made as to the effect which prohibition has had on increased productivity of labor. It is extraordinary that the 2-volume report of the Committee on Recent Economic Changes, under the chairmanship of Mr. Hoover, which covers practically all of the prohibition period, makes no mention of prohibition as a factor in increased productivity. In that study, Leo Wolman gives an index of output per worker for all years from 1899 to 1927. They compared this index for the years 1899 to 1919 with liquor consumption and find little or not correlation.

Since 1920 there has been a marked improvement in personnel management, improved machinery, shorter hours of work, and better standards of living. These factors, apart from prohibition, are sufficient to account for the increase in productivity which has taken place, though it is impossible to analyze the correlation mathematically.

EFFECT OF PROHIBITION ON SAVINGS

There has been no phenomenal increase in savings since 1920. Particularly is this true if we exclude time deposits, for these represent in large measure the funds of large corporations. They are not savings in the ordinary sense, though they are usually included in reports of savings deposits. The reduction in the reserve required for time deposits by the Federal Reserve Board has encouraged banks to solicit time deposits of corporations and large investors, and has led the latter to transfer demand deposits to time deposits. The tendency has been most marked since 1919.

The average annual percentage increase in all savings deposits from 1910 to 1919 was 7.4. From 1920 to 1929 it was 7.1, a slight decline during the prohibition period. A similar decrease is noted in the average annual per capita savings deposits. For the nine years before prohibition they were 6. Since prohibition they were only 5.5.

The year 1920 does show a marked increase over 1919 in both series. This may be attributed in part to the boom conditions of that year, in part to the fact that Liberty bonds were sold by small investors and part of such funds found their way back to savings banks, and perhaps in part to the fact that liquor consumption was at its lowest ebb in 1920. In any case the 1920 increase has not been maintained throughout the prohibition period.

Prohibition has failed to accomplish the social and economic results which were predicted for it.

The indexes of intemperance, following a decline in war years and the first year of prohibition, show a marked upward trend.

Liquor consumption and intemperance are now at least three-fourths of what they were in 1916, the peak year of the pre-prohibition period, and they are still going up.

Evidence from other countries shows that more progress can be made in temperance reform by regulated sale of liquor rather than by the attempt to impose universal total abstinence by law.

I am very glad at this juncture to pay my respects to Mr. John C. Gebhart, to whose splendid research work I am indebted for not only the statistics which I have freely quoted, but much of the material contained in this speech.

UNITED STATES

Death rate per 100,000 from alcoholism, 1910 registration States, and arrests for drunkenness per 10,000 population, 385 places

Year	Death rate from alcoholism (rate per 100,000)	Arrests for drunkenness (rate per 10,000)	Year	Death rate from alcoholism (rate per 100,000)	Arrests for drunkenness (rate per 10,000)
1914.....	5.3	187	1921.....	2.0	93
1915.....	4.7	183	1922.....	3.0	122
1916.....	6.6	193	1923.....	3.9	141
1917.....	6.3	182	1924.....	3.9	140
1918.....	3.4	137	1925.....	4.4	141
1919.....	1.9	102	1926.....	4.7	144
1920.....	1.2	71	1927.....	5.0	146

CANADA

Per capita consumption of alcoholic beverages in Canada and convictions for drunkenness, 1912-1928

[Published by Dominion Bureau of Statistics]

Year	Spirits	Malt liquors	Wines	Drunk- enness	Rate per 10,000 popula- tion
1912	1.032	6.649	0.122	53,171	72.1
1913	1.136	7.230	.145	60,975	81.0
1914	1.103	7.558	.138	60,067	78.1
1915	.886	6.234	.102	41,161	52.3
1916	.739	4.974	.064	32,730	40.7
1917	.703	4.279	.065	27,882	34.1
1918	.682	3.425	.101	21,026	25.2
1919	.395	3.070	.126	24,217	28.6
1920	.608	4.275	.143	39,769	46.1
1921 <sup>1</sup>	.723	4.048	.126	34,358	39.1
1922	.231	4.316	.136	25,048	28.1
1923	.204	4.081	.131	25,565	28.3
1924 <sup>2</sup>	.235	4.781	.186	27,338	29.9
1925 <sup>3</sup>	.225	5.200	.220	26,751	28.9
1926	.267	5.601	.361	28,317	30.2
1927 <sup>4</sup>	.304	5.450	.373	31,171	32.7
1928	.425	6.070	.557	33,095	34.3

<sup>1</sup> British Columbia and Quebec Liquor Commissions commenced sales.  
<sup>2</sup> Alberta and Manitoba commenced sales.  
<sup>3</sup> Saskatchewan Liquor Commission commenced sales.  
<sup>4</sup> Ontario and New Brunswick Liquor Commissions commenced sales.

Except for the census year 1921, the population figures are the estimates of the Dominion Bureau of Statistics.

DENMARK

Deaths from alcoholism and cirrhosis classified into four types: (a) Chronic alcoholism, (b) delirium tremens, (c) acute alcoholism, (d) cirrhosis

[ABC=United States classification of deaths from alcoholism]

All causes	Actual figures					Rates per 100,000 inhabitants				
	(A)	(B)	(C)	(D)	(ABCD)	(ABC)	All causes	(ABCD)	(ABC)	
	1876-1879	11,539	79	57	12	35	183	148	2,310	37
1880-1884	12,603	82	60	12	33	187	154	2,230	33	27
1885-1889	13,570	80	54	17	42	193	151	2,010	29	23
1890-1894	14,745	82	48	16	34	180	146	1,980	24	20
1895-1899	14,149	110	37	13	49	209	160	1,710	24	19
1900-1904	14,808	122	43	16	61	242	181	1,520	25	19
1905-1909	15,357	140	55	11	56	262	206	1,370	25	20
1910	14,798	147	41	11	63	262	199	1,350	24	18
1911	15,567	130	58	13	69	270	201	1,400	24	18
1912	14,995	153	21	6	56	236	180	1,340	21	16
1913	14,851	96	27	7	60	190	130	1,290	17	11
1914	15,344	115	22	8	68	213	145	1,310	18	12
1915	15,761	93	19	5	83	200	117	1,310	17	9.8
1916	17,532	121	51	3	94	249	155	1,450	21	12.8
1917	16,804	56	8	1	76	141	65	1,350	11	5.3
1918	18,001	18	1	1	49	69	20	1,420	5.4	1.6
1919	16,822	21	1	3	49	74	25	1,300	5.7	1.9
1920	17,910	31	3	2	47	83	36	1,350	6.2	2.7
1921	15,881	30	3	4	34	71	37	1,140	5.1	2.7
1922	17,115	32	1	4	35	72	37	1,210	5.1	2.6
1923	16,205	31	2	3	36	72	36	1,150	5.1	2.6
1924	16,648	34	6	4	27	71	44	1,170	5.0	3.1
1925	16,402	24	1	3	49	77	28	1,140	5.4	1.9
1926	16,742	30	3	3	36	72	36	1,150	5.0	2.5
1927	17,086	27	3	3	41	74	33	1,170	5.0	2.3

Annual per capita consumption, spirits, beer, and wine, in liters

Year	Spirits	Beer	Wine	Total
1911	5.10	1.90	0.18	7.18
1912	4.55	1.79	.18	6.50
1913	4.14	1.78	.20	6.12
1914	4.20	1.79	.17	6.16
1915	4.26	1.76	.21	6.23
1916	4.34	2.08	.26	6.68
1917	1.26	1.88	.21	3.35
1918	.20	1.38	.09	1.67
1919	.46	1.88	.18	2.52
1920	.76	2.09	.18	3.03
1921	.51	1.94	.21	2.66
1922	.56	1.80	.24	2.60
1923	.67	1.86	.28	2.81
1924	.74	1.89	.25	2.88
1925	.69	1.98	.19	2.86
1926	.60	1.84	.22	2.66
1927	.57	1.69	.20	2.46
1928	.54	1.62	.17	2.33

FINLAND

Arrests for drunkenness and rates per 10,000 of population

Year	Arrests	Rate per 10,000	Year	Arrests	Rate per 10,000
1914	33,729	103.2	1922	34,900	101.6
1915	10,220	31.0	1923	46,748	134.7
1916	10,179	30.6	1924	58,801	168.2
1917	9,261	27.7	1925	70,305	199.4
1918	5,474	16.4	1926	73,829	207.4
1919	11,475	34.4	1927	95,903	267.3
1920	27,236	81.0	1928	101,036	279.5
1921	33,964	99.8			

Seizures by customs officers of alcohol and other types of alcoholic beverages in Finland, rates per 10,000 population

Year	Alcohol (liters)	Other types (liters)	Total (liters)	Rate per 10,000
1919	4,360	4,081	8,441	25.3
1920	98,682	11,686	110,268	327.7
1921	58,932	13,964	72,896	214.2
1922	153,101	72,358	225,459	656.3
1923	488,767	15,086	503,853	1,452.1
1924	511,902	9,179	521,081	1,490.9
1925	550,626	9,276	559,902	1,587.7
1926	655,781	8,859	664,640	1,867.5
1927	629,814	7,544	637,358	1,776.3
1928	972,512	13,375	985,887	2,727.2

ENGLAND AND WALES

Convictions for drunkenness and deaths from alcoholism and per capita consumption of spirits for England and Wales

Year	Convictions	Rate per 10,000	Deaths	Rate per 100,000	Per capita consumption of spirits in proof gallons <sup>1</sup>
1911	172,130	47.6			0.61
1912	182,593	50.2			.60
1913	188,877	51.6	1,831	5.0	.58
1914	183,828	49.7	1,816	4.9	.67
1915	135,811	36.7	1,451	3.9	.64
1916	84,191	22.8	953	2.6	1.67
1917	46,410	12.6	580	1.6	1.45
1918	29,075	7.9	296	0.8	1.27
1919	57,948	15.8	369	1.0	.30
1920	95,763	25.5	591	1.6	.47
1921 <sup>2</sup>	77,789	20.5	493	1.3	.38
1922	76,347	20.0	471	1.2	.33
1923	77,094	20.0	410	1.1	.30
1924	79,082	20.4	395	1.0	.31
1925	75,077	19.3	372	1.0	.29
1926	67,126	17.2	366	.9	.28
1927	65,166	16.6	489	1.2	.25

<sup>1</sup> Per capita consumption given for fiscal years ending September 30.  
<sup>2</sup> Figures are based on 1914 population.  
<sup>3</sup> Actual count.

Mr. Chairman, I am sure that I am enunciating a certain truth when I make the statement that not since the historic days of the Volstead legislative debate, in which I was a participant, has so much time of the House been devoted to the question of the success or failure of the operation of the prohibition law. It is my pleasure to number among my friends in this body many who are sincerely and intensively on both sides of this question. Of course, my sentiment for personal reasons are with those of my colleagues who believe with me that in the enactment of this legislation the Congress made a grave mistake, as proved thus far by the failure of this law. By a fair and impartial consideration of all the facts concerning this very difficult problem we will eventually be in position to evolve a plan that will extricate us from our present condition, and light the path and show the road that will lead to temperance and sobriety, which all decent people so ardently desire.

Now, my friends, I have presented the facts; and, as I said before, it is only on this basis can we reach any definite conclusions on this perplexing problem. Is this law a success? Has it made for the elimination of drunkenness, of graft, of law defiance? After a 10-year thorough trial, at enormous loss of revenue and tremendous enforcement cost and ever-increasing expense to the Government, has it obtained and does it now hold the approval and indorsement of the people of the land?

The time of our police forces is divided 25 per cent in apprehending burglars, highwaymen, and so forth, and 75 per cent in the futile attempt of hunting rum runners and bootleggers in all sections of the land and sea. In this effort to locate and bring to justice the violators of the prohibition law the agents of the enforcement bureau have not hesitated to encroach upon the private precincts of the home when, in the opinion of such agents, there is even the unsupported evidence that liquor may be found in such a dwelling.

In the belief that in many cases it should employ men of shady reputation to ferret out and detect criminals who are violating the Volstead Act, the enforcement department of the Government are alleged to have employed—perhaps unintentionally to be sure—men whose previous reputations in society would not bear the closest scrutiny, and who by authority are permitted to invade, to search the homes of the decent people of the land. The statement has even been made that the skeleton key of the midnight marauder has been replaced by the badge of many a crooked enforcement agent. From this it was but a step to shooting down suspected people in all parts of our land. The annual report of the Association Against the Prohibition Amendment makes the statement in November, 1929, and gives an account of the killings which have occurred at the hands of Federal and other enforcement officers. It publishes a descriptive list of many such tragedies with a brief analysis of typical cases, though admitting the inability to make a complete list of all the outrages. It was estimated that the total number of killings would easily exceed 1,000. This report was subsequently supplemented by the Washington Herald which raised the dreaded figure to 1,300 in the useless effort to enforce prohibition.

As an example of how the press and many of our most eminent medical authorities envisioned the future of prohibition, I quote herewith some opinions published as far back as 1925.

The tremendous increase in the number of deaths from alcoholism, the steady increase in the number of arrests for drunkenness, the constant demand for increased appropriations to enforce the law, the alarming crime wave that sweeps the Nation, the inadequacy of our present jails and penitentiaries, as well as the appointment of numerous additional judges to try men made criminals for committing an offense that is not a crime, are indicative of the impossibility of enforcing an unpopular and un-American law.

The Federal appropriations alone will run into many millions this year, and when we take into consideration the enormous loss of revenue cut off by prohibition, as well as the great loss to our merchant marine, Volsteadism becomes the Nation's most colossal burden and blunder. The United States Coast Guard, which now has an armed naval fleet as well as an aviation squadron to enforce the law, will at the beginning of the new fiscal year have a personnel greater than the United States Navy in the administration of President Cleveland.

Surely, Mr. Chairman and gentlemen of the House, we are paying a high price for a fallacious and unworkable experiment.

#### THE PRESS, THE PUBLIC, AND MEDICAL PROFESSION

There is abundant evidence from the press, the public, and, best of all in this instance, from the medical profession, that under proper supervision, as practiced in the Province of Quebec, there are no harmful or baneful effects from the moderate use of alcoholic beverages. In substantiation of this declaration I quote the following articles, taken from the New York World, Detroit Free Press, and the New York Times in 1925, five years ago.

These statements were true in 1925. They are even more so now, with five years' regrettable experience.

The New York World said at that time:

To what point has prohibition brought us?

We have, first, a law which not even the most light-hearted observer believes is applied to-day with equal justice to rich and poor alike, or can be so applied with all the complicated legal machinery and all the armies of secret service men and all the ships of all the fleets which have yet been furnished to the cause of prohibition. The rich—not only the overwhelmingly rich but the ordinary heads-above-water rich who are most men's neighbors—keep on drinking. They drink what they wish to drink and find its acquisition easy. Nobody pretends that the case is otherwise, that it is true only in incorrigible New York, and that it is not true in cities and towns the country over. It is the first important fact about prohibition that the impetus to break the law comes from those same respectable, well-to-do people who regard themselves as pillars of society.

All over the country the colossal failure of prohibition is recognized by those who see things as they actually exist. The Detroit Free Press, after hoping for the best, is obliged, in the light of recent disclosures, to admit the collapse of the prohibition movement, and says:

How long will it take those in authority to understand that the cure for the conditions that all decent citizens regret lies in a liberal live-and-let-live tolerance and that the unreasonable curtailment of personal liberty can but end in economic mutiny?

One physician's views on the subject of prohibition are voiced in the following article in the New York Times. Dr. Kurt L. Elsner tells Times readers just what he thinks of the whole subject of prohibition:

Strange to say, as much as has been written about prohibition, pro or contra, very little has been said about one side of it, i. e., the harm it has done to the beginning of self-education of the American people in the moderate use of alcoholic drinks. Self-education had begun and was growing nicely. Its seeds had sprouted and were thriving healthily, when, like the proverbial fool, prohibition rushed in and trampled the tender plants under foot.

Also the following article taken from the Rational American, of New York, issue of November, 1925:

Sir William Osler, formerly of Oxford University: "In moderation wine, beer, and spirits may be taken throughout a long life without impairing the general health. I should be sorry to give up the use of alcohol in the severer forms of enteric fever."

Dr. William Edward Fitch, of the Vanderbilt Clinic: "It is the opinion of careful students of the subject that the moderate use of alcohol in health is harmless. It undoubtedly has a place in disease. There are reasons for believing that alcohol actually increases the resisting powers of the body to the poisonous toxins of septic fever."

Dr. Charles Gilmore Kerley, of the New York Polyclinic School and Hospital: "Alcohol is occasionally of great service in diseases of children. Under certain conditions it answers better than any other means of stimulation."

Dr. L. Emmett Holt, of the College of Physicians and Surgeons, New York: "With many nursing women the use of malted liquors—ale, beer, etc.—increases the quantity of milk and the proportion of fat. There is little doubt that alcohol is at times of much benefit."

Dr. Hobart Amory Hare, of the University of Pennsylvania: "Clinical experience too great to be ignored stands for the continued use of alcohol. The chief uses of the drug are as a rapidly acting equalizer of the circulation and as a systematic support in low fevers and prolonged wasting diseases in old age and in convalescence from acute diseases."

Dr. A. A. Brill, of the University of New York: "Alcohol has an undisputed place in the human physiological and psychological economy."

Dr. Charles E. de M. Sajous, of Temple University, Pennsylvania: "Malt liquors—ale, stout, and beer—contain diastase, which aids the digestion of starchy foods. They are especially tonic in effect."

Dr. George F. Butler, of the Chicago College of Medicine and Surgery: "Atonic dyspepsia and weakened digestion are generally benefited by some form of alcohol. As a pure cardiac stimulant, alcohol is remarkably serviceable. In certain stages of various acute diseases alcohol is one of the most potent and useful remedies."

Dr. Paul Bartholow, of the Jefferson Medical College: "Beer, ale, and porter are much and justly esteemed as stomachic tonics and restoratives in chronic wasting diseases. Alcohol is an important remedy in the various forms of pulmonary phthisis. In convalescence from acute diseases there can be no difference of opinion as to the great value of wine as a restorative."

Dr. Samuel O. L. Potter, of the Cooper Medical College, San Francisco: "In anemia and chlorosis good red wines are almost indispensable. It is an absolute necessity in the treatment of lobar pneumonia. In fevers alcohol is often most serviceable. Some physicians agree with Mr. Lawson Tait, who declared himself fully persuaded, after 30 years of life as hard in work and as full of responsibility as well could be, that the moderate use of alcohol is a necessity in our modern life."

Dr. John V. Shoemaker, of the Medical-Chirurgical College of Philadelphia: "Alcohol is in some measure antidotal to the poison of the bacillus tuberculosis, and it is to this fact that its unquestionable value in prolonging life in phthisis is due."

Dr. John H. Musser, of the University of Pennsylvania: "There is, I think, no rational doubt that small doses of alcohol are at times useful with those that are out of health, for their stimulating effect upon the appetite and upon digestion, and occasionally for their effect upon other functions. When solid food can not be taken, alcohol is our sheet anchor."

Dr. W. Gilman Thompson, of Cornell University: "There are a number of diseases in which the temporary use of alcohol is of positive service, and there are a number of cases in which it is a positive necessity in order to prolong life. Whatever controversy still exists over the physiological effects of alcohol as a food, it is undeniable that in some cases of disease it is clinically indispensable. The value of alcohol in the treatment of fevers is now universally recognized."

Henry L. Eisner, of Syracuse University: "In pneumonia—the experienced know that there are cases in which it is absolutely indicated."

Dr. William H. Smith, of Harvard University: "Influenza: When extension into the lung occurs, supporting measures must be pushed. Alcohol in some form should be given freely."

J. P. Crozier Griffith, of the University of Pennsylvania: "In scarlet fever with cardiac weakness alcohol in some form is one of the most rapid and satisfactory stimulants."

Dr. Julius Grinkler, of the Northwestern University Medical School: "For the obstinate sleeplessness of chronic cerebral anemia nothing equals in efficacy the imbibition of a night draft consisting of either a glass of beer, wine, or even whisky in small quantities."

John Ruhrah, of the College of Physicians and Surgeons, Baltimore: "In severe cases of smallpox alcohol may be added to the dietary with great advantage."

Dr. Herbert Maxon King, of the Loomis Sanitarium for Tuberculosis: "Small doses of alcohol in the form of wine, beer, or ale with meals will often stimulate a flagging appetite and enable the patient to consume a normal amount of food. When the carbohydrate content of the diet can not be brought up to the desired quantity, the addition of wine or beer to the diet may be of distinct advantage. As a stomachic in cases of hypoaecidity, loss of appetite, and consequent impairment of digestion, the lighter wines and malt liquors may be prescribed to advantage."

The above statements which were given as far back as 1925 by great men qualified to discuss this question are emphasized by our subsequent experience in the five years that have intervened in the useless attempt to enforce the so-called noble experiment.

In the same year, 1925, Dr. Nicholas Murray Butler, president of Columbia University, New York City, said:

The object desired by those who supported prohibition was the suppression of public drinking places and putting an end to the political activities of those engaged in the manufacture and sale of liquors. These two ends commended themselves to immense numbers of the population who did not stop to think what unforeseen consequences might follow.

The saloon has to all intents and purposes been abolished. So far so good. But the liquor traffic flourishes on a scale of almost unexampled magnitude, untaxed and with immense profits, although carried on secretly in violation of the law.

In my judgment the evil effects of the policy adopted by the United States on moral politics and public order far outweigh the advantages. It has become plain to everyone that nation-wide prohibition can not be enforced, simply for the reason that it affronts the judgment as well as the moral political principles of vast numbers of the population, including a large proportion of the most intelligent and most upright.

In addition, nation-wide prohibition has brought in its train a spirit of lawlessness and political hypocrisy and cowardice that is little short of appalling. We are told that by reason of our constitutional law the eighteenth amendment can never be repealed. If so, it is certain to go the way of the fifteenth amendment, enacted after the Civil War, to give political rights to the negroes. In at least 10 States no attention is paid to this amendment, and no attempt has been made to enforce it for 35 years.

Mr. Chairman, more and more our people are coming to a realization of the fact that a change in this obnoxious law is inevitable; that it is unsound, unscientific, impossible.

#### A BILL OF PARTICULARS

Let me say in conclusion that prohibition as now administered on the statute books has never solved, nor will it solve, the problem of temperance, for the following reasons:

Because its enforcement lacks the support of a majority of the American people.

Because its enforcement is costing the people millions of dollars in increased taxation.

Because it is increasingly corrupting the morals of the people, making them lawbreakers.

Because it has resulted in widespread corruption and bribery of Government officials.

Because it is an infringement upon the liberty and freedom of the American people.

Because it is teaching young girls and boys to secretly indulge in alcoholic stimulants.

Because it forbids pure and harmless beer and wine and substitutes dangerous poisons.

Because it is the cause of increasing deaths from drinking poisonous bootleg concoctions.

Because it is the cause of increasing the pitiful army of victims of narcotic drugs—dope fiends.

Because it was enacted to carry out the wishes of a few and in disregard of the majority.

Because it has made the booze problem rather than economic problems the main political issue.

Because it has created a contempt for all law upon the part of a majority of the people.

Because it is class legislation, depriving the poor of what the rich can easily obtain.

Because it is a violation of the Constitution, the fundamentals of government, and the Bill of Rights.

Because the Volstead Act is un-American, tyrannical, and liberty destroying.

Mr. HOLADAY. Mr. Chairman, I yield 15 minutes to the gentleman from Massachusetts [Mr. GIFFORD].

Mr. GIFFORD. Mr. Chairman, we have been debating the tariff now for more than a year and this seems an opportune time to bring up another matter relating to the textile industry. We had a conference of the textile industries in my district a little more than a year ago. Perhaps one of the most important and effective speeches made at that time was made by a prominent labor leader, and I shall read to you a surprising statement which he made at that particular time:

In Great Britain the work week in the textile industry is 48 hours, with no night work. In the South and some of the New England States the mills run from 54 to 60 hours per week daytime and in many instances run night shifts, comprising both men and women.

These mills are a greater menace to the textile industry and the American standard of living than any competition from foreign countries. They set a pace of competition which, if continued indefinitely, can only end in disaster to all concerned in the industry. They flood the markets with goods produced under worse conditions than prevail in any other country of the first rank.

At present the tariff as a means of protecting the wages, hours, and conditions of the cotton-textile operatives is a complete failure. The scope of the tariff act ought to be extended and contain specific provisions that the conditions under which the American textile operatives work shall at least be equal to the best conditions prevailing in all competing countries.

It was rather surprising to be told that the laws of Great Britain are so much more liberal than our own. While I do not intend to take the time now to read them, I did take the trouble to get the labor laws of Great Britain, and I am very much impressed, as you would be if you were to read them, especially those relating to accidents, conditions of employment, and hours of labor.

I was so impressed by this that when Congress closed its session last year I visited two of the Southern States with the idea of getting a view at first hand of the conditions there relative to labor. I was treated with the utmost courtesy on my visit. I came back with a better idea of the conditions and also with a higher appreciation of the splendid things the people of those States were trying to do in the way of better schools, roads, and general improvement. I must, however, criticize their laws as to labor, as they rely too much on cheap labor and long hours to gain a foothold in industry.

We in New England have lost some of our capital, because concerns from New England have gone South attracted by cheaper labor conditions. I understand certain industries in St. Louis have recently closed their factories there and gone to Alabama because the conditions of labor there seemed to be more favorable than in St. Louis.

It was recently stated in a southern magazine that the greatest calamity that ever happened to the State of Massachusetts has been due to her liberal and humane labor laws, and particularly relating to the hours of labor. It is time now to stir as much public sentiment as we can among those other States which might be called "backward States" to get them to enact laws in conformity to American standards in the employment of labor.

Last week I read an announcement that the Assembly of the State of South Carolina had passed a memorial to the House of Representatives in Washington favoring Federal equal hour work in industry. I have been looking for that memorial to be placed in the RECORD, but my last inquiry brought out information that the resolution failed to pass the senate in that State, and therefore it would not come before us.

Recently a round robin on this matter was sent to Congressmen and Senators by one of the papers of my State. I will not put those replies in the RECORD, because it might prove embarrassing to some of our Representatives. A day or two ago I read what "Senator Sorghum" said about Congressmen going home so often to mend their fences. He said it was because that is where they sat most of the time. That was only a jest. Probably it is not true. I for one would not like to accept the inference.

But when I read these letters written to this newspaper, Congressmen from Maine to California, I am led to think that that jest might be thought applicable in this case. Nevertheless we find many extremely favorable answers. I want to congratulate especially the Representatives from the State of Illinois. They have generally 44 hours in industry at present and hopeful that

it will be reduced to 40, and as Members from both the Republican and the Democratic side from the State of Illinois, labor is greatly heartened by their answers. New England Congressmen believe in uniform hours of labor but may differ as to methods that we must adopt to bring about that situation. However, we all know that we can not bring it about except very gradually unless we have an amendment to the Constitution. When people assert that State rights must not be interfered with in industry it reminds me of their disregard of State rights when those same persons appeal to the great industrial States for large amounts of money for farm and flood relief and other enormous expenditures for the rest of the country. Then nothing is said about State rights. By way of the Federal income tax they have accomplished their purpose. The Constitution does not allow of a State having any customs law or tariff against any other State, or else I am sure Illinois and Massachusetts and other forward States might well say, "We will have a little tariff law against these goods that are produced under such abominable labor conditions as exist in certain States."

How much more time is going to be needed to develop industries in these backward States, so that you must subject women and children to long hours and night work? I was told when I was in the South, "The only way we can make money is to keep the wheels turning all the time. It is not only the price paid for labor, but the machinery must be constantly in motion." Again I say, how long do you need to continue such conditions to get a foothold? I am sure the agitation now being carried on will soon bring about the desired results, and I am here proclaiming better days ahead for New England, when we will not have to compete with our own sister States in such matters. We can not much longer fool the textile wage earner in America. He now realizes that he needs not only a tariff but he needs Federal legislation of some sort to protect us from unfair labor competition in our own Commonwealths.

It may be difficult at the present time for legislators to go on record in favor of a constitutional amendment for an equal hours labor law, but there seems no other way to fully accomplish the result. As far as I am personally concerned, since we are called upon to contribute so largely to the sections of the country which are trying to build themselves up, contributing vast sums of money, I am beginning to believe that we should demand that they be somewhat restricted in some of their efforts at competition, wherein the labor elements, especially the labor of women and children, are involved.

I earnestly hope that others will follow me in this discussion. Two Members of Congress from New England have presented resolutions to the Judiciary Committee, and it is hoped they may have hearings on the matter. It may be that for some time to come we may not be able to convince Congress that we should have another constitutional amendment relating to labor restriction, but there should be agitation, and plenty of it.

Let us not try to fool the laborer in industrial States any longer by a high protective tariff on everything without relieving him of unfair competition by our sister States in the same industry.

I do not like to read these advertisements from the Southern States such as—

Come down here where there is no limitation on hours of labor or night work.

We must all recognize by this time that the very laws of humanity require us to give this matter consideration.

I will close by reminding you that much as we talk about foreign countries, we should read the labor laws of England, where there is an 8-hour day for industry and no night work allowed for women. Our interest in this matter should be aroused at the same time we are taking up a tariff bill brought to us on the argument of better conditions for the laboring man. [Applause.]

Mr. CANNON. Mr. Chairman, I yield 30 minutes to the gentleman from Texas [Mr. PATMAN].

Mr. PATMAN. Mr. Chairman, I read from a daily newspaper of this date the following:

Validity of oil company merger is put to test. Department of Justice files petition asking court to declare contract violation of dissolution decree. Friendly suit brought in Missouri. Pleading States combination would eliminate existing competition between two companies concerned.

These are headlines over the published statement given out by the Department of Justice on yesterday.

The Attorney General of the United States in refusing to prosecute the Standard Oil Co. and the Vacuum Oil Co. for violating an injunction of the Supreme Court of the United States has thereby indicated that his department expects to set

up two standards for law enforcement in this country. One standard for the rich and another standard for the poor.

Last year there were 54 United States prisoners that were returned to the penitentiary for violating their paroles. In other words, they violated the same principle that the Standard Oil Co. is violating. The Standard Oil Co. is permitted to go free for violating an injunction issued by the Supreme Court of the United States, while these 54 prisoners who were released on parole were returned for violating those paroles. I do not criticize the authorities for returning these prisoners. They were doing their duty. But the same diligence toward performance of duty should be manifested against the Standard Oil Co.

Last year there were thousands of people convicted and sent to the Federal penitentiaries for illegally and fraudulently obtaining from others money and property. The authorities are to be commended for their efforts in protecting the people in this regard. But the same law that is used to put these people behind prison bars for taking a small amount of money and property from other people should be used against the richest concerns of the United States. I say that it is not being used but that the big concerns of the Nation are being granted special privileges by the Department of Justice. The Cottonseed Oil Trust, that illegally and fraudulently obtained from the farmers of the South \$75,000,000 last fall, is allowed by the Attorney General to keep the money and yet not be prosecuted by the Government. This sum of money fraudulently obtained from working people is doubtless several times more than was taken by all the prisoners in the United States penitentiaries to-day for swindling and grand larceny. I would not have these prisoners who committed the crimes of larceny and swindling go without punishment, but I would have used against the Cottonseed Oil Trust and every individual connected with it the same law and the same punishment.

Since the enactment of the Sherman antitrust law, July 2, 1890, twelve hundred and ninety cases had been decided in the United States courts relating to matters arising under, involving, or growing out of enforcement of this act up until the year 1927.

The 1,290 cases involved more than 6,000 points of law. In other words, the antitrust laws of the United States have been construed by the United States Courts from more than 6,000 different angles. No statute has been so frequently construed and from so many different angles and viewpoints as the antitrust statutes, yet the special interests of the country claim that they "do not know where they are at" and want the Federal Trade Commission and the Department of Justice to protect them against prosecutions when they are in the twilight zone of the statutes.

The fact that the statutes have been so frequently construed is further evidence of the fact that there has been a persistent effort to violate these laws.

Christie Benet, a lawyer of Columbia, S. C., who had more to do with organizing the Cottonseed Oil Trust than anybody else, said there was a strong liaison existing between the Federal Trade Commission and the Department of Justice in the organization of trade-practice conferences. Liaison can only mean a harmonious working relation in the sense Mr. Benet used the term. I did not believe that the Department of Justice would condone the organization of these trusts by the Federal Trade Commission, therefore, when I made a speech during the month of February about the Cottonseed Oil Trust I included this statement made by Mr. Benet and stated that I did not believe Mr. Benet correctly represented the facts. I sent a copy of the speech to the Attorney General of the United States and asked him to deny it. He has not until this day entered a denial of Mr. Benet's statement, therefore, I presume that it is true. It is a sad day in the history of the United States when our Department of Justice will harmoniously work in connection with another department of our Government which is organizing trusts and monopolies.

The Federal trade-practice conference work of the Federal Trade Commission is practically new. A majority of these conferences have been held within the last 12 months. The effort to get such conferences held by the big business interests of the Nation commenced many years ago. When the original bill creating the Federal Trade Commission was before Congress in 1914 there was an effort made then to have the bill provide that work such as trade-practice conference work may be conducted by such a commission and business advised when it is violating the law and given a chance to correct the violations without punishment. Congress refused to affirm such a doctrine.

In 1922 another effort was made to have the Federal Trade Commission authorized by Congress to engage in work similar to the trade-practice conference work. Congress again refused to affirmatively approve such work by the Federal Trade Commission or any other department of our Government. In Janu-

ary, 1929, the Federal Trade Commission, in a report made to the Senate of the United States, pleaded for the power of doing just such work as it is now doing in holding trade-practice conferences. The Senate again refused to affirmatively authorize such work.

Notwithstanding these repeated refusals of the duly elected representatives of the people of the United States to authorize the holding of trade-practice conferences, the Federal Trade Commission, without authority of law, is now holding and, if not prevented, will continue to hold trade-practice conferences for every industry that can organize itself to the extent that a sufficient volume can be controlled to create a monopoly.

Never in the history of our country before has a Government board so grossly and flagrantly abused the power intrusted to it. It is organizing trusts and monopolies when its duties are to destroy trusts and monopolies.

The Attorney General of the United States, in working harmoniously with the Federal Trade Commission, is advising with lawyers and executives of the biggest business interests of this Nation as to proposals which they desire to put into effect that are on the borderline, if not entirely over the line, of illegality. The Attorney General has let it be known to the biggest business interests of this Nation that he expects to cooperate with them and has thereby invited them to submit proposed transactions to him for consideration and he will consider said proposals and will advise with them about the same. He is likewise abusing the power intrusted to him and acting in disregard of the will of Congress by doing what Congress has repeatedly refused to approve.

Although the Attorney General is willing to advise with and assist the big monopolies and trusts of the Nation, he tells a Member of Congress who desires to get an opinion from him about an illegal trust that has been formed by the cottonseed-oil industry that it is the policy of the Attorney General to not advise anyone except the President of the United States and certain executive heads of departments.

The Attorney General of the United States, in carrying out his policy to advise big business, is lending his office to the Standard Oil Co. of New York for the purpose of helping that concern reunite the units of the Standard Oil group that was dissolved by an order of the Supreme Court of the United States.

William D. Mitchell, Attorney General of the United States, in adopting the policy toward monopolies and trusts that he has adopted, is following directly in the footsteps of Harry Daugherty, a former Attorney General of the United States. Daugherty shortly after he came in office announced to big business that there would be no wholesale indictments against monopolies and trusts, but he would file a friendly suit to test the legality of some of their acts. Mitchell shortly after he came in office announced that he would file a friendly suit to test the legality of the reuniting of the Standard Oil group. It was useless for him to say that no wholesale indictments would follow.

Therefore the present Attorney General of the United States has adopted a policy that will turn our Government lock, stock, and barrel over to the monopolies and trusts of this Nation. This policy will destroy independent business everywhere; it will carry out Harry Daugherty's policy to a letter; it will carry out the plans of big business that Congress has repeatedly refused to approve; it is throwing the cloak of legality around the shoulders of illegal combinations or refusing to take effective action against them; it is letting monopolies and trusts know that if they are caught red-handed robbing the people they will be warned one time without punishment; that trusts are safe until the last warning; friendly suits are brought for friendly monopolies; the department is being used as an agency of convenience for interests that are looking after their own welfare. Injunction suits are being brought to restrain acts when criminal indictments should be obtained; no one serves a jail sentence or pays a fine when the Government wins an injunction suit, but if the Government wins in a criminal case some one must go to jail and pay a fine. I wonder why the department prefers to deal so gently with concerns that are robbing the people and to use the courts for their convenience.

The Federal Trade Commission should adopt as their published policy to big business the following, which would truly represent what they are doing in the light of events:

We believe in getting competitors together and let them determine for themselves what is a fair price. When they decide what is a fair price, there is no power on earth to prevent them from doubling that price or multiplying it by four.

We prefer calling an illegal conspiracy a trade conference rather than use the names of association or institute. The same results are obtained for the conspirators.

We tell Congress that consumers and outsiders are invited to trade-practice conferences to protect the rights of the public. However, big business should not be uneasy about being annoyed by opponents of their plan as only interested parties will be at the conference.

We believe in letting the seller set the price.

Since competitors are all consumers and therefore buy their own products, it is unreasonable to say that they will ask excessive profits.

We believe that you will look after the public interest when looking after your own interest.

We do not believe in the Government interfering with the business. We want to help you carry out what you want to do.

Loopholes in the antitrust laws pointed out to illegal combinations.

As evidence of the harm that a trade-practice conference will do, I invite the attention of this House to a conference that was held for the heating and plumbing industry. Four-fifths of the industry in the United States was represented at a conference held in Pittsburgh, Pa., last May, 1929. This conference was presided over by a member of the Federal Trade Commission. The acts of the members of this industry were approved by the Federal Trade Commission September 23, 1929.

Each conference, in so far as the Federal Trade Commission is concerned, is nothing more than an Amos and Andy meeting. The members of an industry do not care anything about the Federal Trade Commission. All they want is to get the stamp of approval of that commission. Each industry has an organization of its own with committees to interpret all rules that are passed, to enlarge upon them, to detract from them, to amend them in any way they want to, and to issue orders for their observance and enforcement. Each conference is a meeting of competitors having in mind their own welfare, and almost invariably resulting in the setting of prices. I would say at least in 95 per cent of the cases that is the goal of each industry.

In the heating and plumbing industry they had an agreement at the conference that competitors would not sell below cost for the purpose of injuring a competitor or for the effect of lessening competition. This is seemingly a harmless provision, but in carrying it out the committee will determine what is the cost and add in every item that is necessary to make up the selling price. After that is done the committee will notify each industry of its findings and will doubtless warn each competitor that if he refuses to set the price as agreed upon by the committee the Federal Trade Commission of the United States will prosecute.

Immediately after these agreements by this industry were approved by the Federal Trade Commission, and on the same date the large heating and plumbing concerns of America gave notice to their customers that all prices were canceled and that they were operating under all Federal trade-practice rules. Although practically every other unorganized industry has seen its commodity lessened in value, the heating and plumbing industry raised the price on one article that is used for heating purposes more than \$80 (wholesale) at one time.

The Bureau of Census, Department of Commerce, disclosed March 8, 1930, that for the plumbing in a 6-room house the price has increased \$4.48—wholesale—the past few months. Of course, for larger houses the cost has increased proportionately. There are two items that are used in small houses that have been increased by this industry \$84.48 during the past few months and doubtless as a direct result of this trust that was formed by the Federal Trade Commission.

September 26, 1929, the Federal Trade Commission approved a conference that had been held before one of its members for the reinforcing steel fabricating and distributing industry. The conference was held at Asheville, N. C., last April.

In this conference competitors agreed with one another to a set of rules that will absolutely permit them to set prices of their products. It agreed in the presence of a Federal Trade Commission representative that they would give notices of all advances in prices or declines in prices, which is a positive violation of the laws of the United States and the laws of practically every State in the Union. They also agreed that they would not dump their surplus stock to the detriment of a competitor. They agreed further that they would adopt a uniform system of cost finding which would have no other effect than the setting of the prices of their products. A committee was appointed that were members of the industry to construe the rules, interpret them, and order their enforcement without reference to any future action of the Federal Trade Commission. It is nothing unusual for this commission to permit industries to organize and recognize exclusive sale contracts that are in positive violation of the laws of practically every State in the Union.

These industries so organized agree and obligate themselves to publish to their competitors the smallest and minutest details

of their business. There can only be one purpose and that is to set the selling price.

The fertilizer industry organized with the approval of this commission obligated themselves that it was unfair trade practice to sell goods at a price which would not give them a return, and that further they would disclose to their competitors every detail of their business that was necessary for their competitors to know in order to set the selling price. Farmers are going to pay a much higher price for fertilizer by reason of this trust.

The Federal Trade Commission even assisted in the organization of a trust for the beauty and barber supply dealers and to permit this industry to agree that they would give notices of all advances and declines in prices of their products. This to enable competitors to set the same price in violation of the laws of the United States.

Even the sled industry, a toy that is used by children, has been organized into a trust by the Federal Trade Commission and doubtless parents of the Nation will be compelled to pay tribute to this illegal combination organized by an arm of our Government in order to get toys for their children to play with.

The bridge builders of the Nation got together recently and permitted themselves to be organized into a trust by the Federal Trade Commission. This industry obligated itself to carry out certain rules and regulations which meant the setting of their selling price. They even went so far as to pass a rule that would have for its effect restricting of territory and they condemned the practice of a concern submitting a bid to build a bridge unless it had been invited to do so. This practice was denounced by the industry as a crime or an unfair trade practice, and the Federal Trade Commission approved this finding. The people will pay an increased price for bridges in the future by reason of this organization.

The Federal Trade Commission organized the Cottonseed Oil Trust that cost every farmer in the South from four to eight dollars on the seed from every bale of cotton produced during the fall of 1929.

The Federal Trade Commission has been called upon to investigate the very trust that it organized. An attorney general of one of the Southern States told me that the representatives of the Federal Trade Commission that visited him for the purpose of getting information about any alleged Cottonseed Oil Trust convinced him that they were more interested in getting up an excuse or find justification for what the commission had already done than they were in getting evidence of a violation of the law.

The people of this country should condemn the practice of Government employees accepting employment with industries when they have in the recent past been employed by the Government of the United States to perform duties that had for their effect the regulation and restriction of rights of this industry.

The information seems to have gone out to the regulatory bodies of the State and Nation by special interests that if they will be good and do what the special interests want done when their term of office expires or when the public desires their services no longer that they will be provided for with a good job at a fat salary.

The Cottonseed Oil Trust was organized July 24, 1928. Almost immediately after it was organized an economist for the Federal Trade Commission, whose duties were related to combinations and restraint of trade, price fixing, reasonable profits, and so forth, resigned and became affiliated immediately with the Interstate Cottonseed Crushers' Association, whose desire it was to put into effect the rules and regulations of that illegal combination.

Shortly after this trust was organized this man, who was connected with the Federal Trade Commission for years, and doubtless intimately associated and intimately acquainted with the members of that commission and their employees, had his name carried in the city directory for Memphis, Tenn., as follows:

Secretary Interstate Cottonseed Crushers' Association.

When the Federal Trade Commission attempts to prosecute this trust, although I am not so optimistic to believe that they will, they will be placed in the attitude of taking proceedings against a man with whom they were intimately associated for years.

Mr. GLOVER. Will the gentleman yield for a question?

Mr. PATMAN. Yes.

Mr. GLOVER. The gentleman has made a rather severe arraignment of the Federal Trade Commission and of the Attorney General's Department. What does the gentleman think of the action of the House when it went them one better and passed the bus bill, which authorizes the formation of monopolies and trusts and exempts them from the provisions of the antitrust laws which were passed to affect everybody? Does

not the gentleman think that is as bad as any of the actions of the two departments he has referred to?

Mr. PATMAN. I did not approve of the passage of that bill.

Mr. GLOVER. I did not either, and I did not indorse it.

Mr. PATMAN. I did not indorse it myself. I believe it had for its purpose the breaking down of the antitrust laws in so far as passenger-bus companies are concerned, and I think an attempt will finally be made to exempt all these different industries from the antitrust laws, exempting as many of them as they can, and then finally using that as an argument for repealing the laws, because there have been so many exemptions from their provisions.

Mr. O'CONNOR of Louisiana. Will the gentleman yield?

Mr. PATMAN. Yes.

Mr. O'CONNOR of Louisiana. Knowing the gentleman's great interest in the development of a permanent merchant marine, does not the gentleman think it would be good national policy and one that would inure to the interest of the merchant marine if the Shipping Board were to consider in connection with the sale of its vessels to those who for years acted as allocatees and made enormous fees the advisability of securing as large a cash payment as these fees warranted, thus in a manner assuring that the purchasers would try and have to operate for a period of years and avoid the suspicion on the part of many gentlemen over the country that the purchase, with the subvention, is largely for making a killing, to use a good Americanism, instead of for the purpose of building up a permanent merchant marine?

Mr. PATMAN. I agree with the gentleman that every contract that is made should require new vessels or at least replacements to the extent they would serve the people of the entire United States. If I am correctly informed—and I believe I am, because I got the figures from the Post Office Department—there was one contract let on the Pacific coast from Tacoma, Wash., to Valparaiso, Chile, wherein the United States Government, through the Post Office Department, is paying \$7,000 for every one dollar's worth of service that is rendered.

Mr. O'CONNOR of Louisiana. And the cash payment should be predicated upon the amount received by the allocatees for operating vessels for the Shipping Board, without any financial risk to themselves and with every prospect of big, huge profits, which they did reap as rich harvests of their astuteness.

Mr. PATMAN. Yes.

Mr. HOLADAY. Mr. Chairman, I yield 20 minutes to the gentleman from Kansas [Mr. SPROUL].

Mr. SPROUL of Kansas. Mr. Chairman and members of the committee, what I wish to say this afternoon will be upon the subject of our protective tariff bill that this Congress has been considering for several months.

Within a few days we shall have before us a somewhat new bill from the one which was passed by this body some months ago. Rates have been changed; some have been increased, while others have been reduced. The bill has been amended in some very material ways, so that when it comes back to this body I shall be delighted and pleased, I am sure, if we may have a chance to consider separately some of the different provisions in the bill; in other words, I am hopeful that whatever rule is adopted for the consideration of the bill, it will provide for separate consideration of the important provisions of it.

In coming to this conclusion I am not unmindful of the fact that the makers of our Constitution provided for the election of the Members of this body every two years, surely, for the purpose of keeping the membership of the House familiar with the sentiment in the different parts of the country with reference to proposed and needed legislation.

Being mindful then of the purposes of the illustrious characters who framed the Constitution, namely, that we should have a Government of the people, by the people, and for the people instead of for certain selected aggregations of organized capital, I am truly hopeful that those who have to do with the preparation and reporting of a rule for the consideration of this bill will desire to carry out, as well as they may, the sentiment that controlled in the making of our Constitution.

At this time I wish to say I am not friendly to our method of originating revenue legislation. I do not like the rules that give eight men on the Ways and Means Committee the power to initiate important legislation like our tariff bill. I firmly believe the rule should be changed so that all members of the committee would be privileged to participate fully and in all sincerity in the preparation of the bill; and then when it is reported to this body our membership should be privileged, under an appropriate rule, to discuss at least the most important provisions of the bill and offer amendments thereto. For a mere majority of the majority members on the committee to prepare the bill and bring it before us, and then to adopt a rule that limits discussion and

consideration to only a few items in the bill, is certainly not in harmony with the idea that dominated in the framing of our Constitution.

We have drifted away from the original idea that governed in the making of the Constitution as it is. When we look back on what we have done in the making of this tariff bill and reporting and acting upon it in the House, it seems to me we would have a lot of trouble in harmonizing our action with what was intended by the Constitution in the enacting of important legislation.

We can go on a little longer, but the time is going to come soon when we will have to stop, and then this pendulum, now drifting toward industrial government, will swing back, I fear, until it goes too far in the opposite direction. It is well for us to compare the way we enact legislation now with that contemplated by the Constitution.

Mr. HUDSON. Will the gentleman yield there for a question?

Mr. SPROUL of Kansas. I yield to the gentleman from Michigan.

Mr. HUDSON. Does not the gentleman believe that the industrial condition of the country is to be more and more increased because of the coming of machinery, and that agriculture will practically be industrialized the same as steel or any other great industry of this country is industrialized? In other words, are we not facing more and more the machine age, which means an industrial age?

Mr. SPROUL of Kansas. In reply to the gentleman, I will suggest that his question is hardly apropos of the question I am undertaking to discuss. The gentleman might ask something about prohibition or something else that I am not discussing.

Mr. HUDSON. I am sure I would get a favorable answer from the gentleman.

Mr. SPROUL of Kansas. I am now discussing merely the method we have of enacting legislation. In my candid opinion too few men originate and get through this body important legislation. A bigger percentage of the body should be privileged to give their best thought and best judgment to the legislation we enact.

Of course, I realize that certain States in this Union, having large population, are entitled under the Constitution to large representation in this body. I realize that they have the power to place upon certain committees their choice of the membership from those States which have the large population. That is perfectly proper; but even so, the whole country is entitled to representation in the consideration of the proposed legislation.

There can be placed such persons on the committee that has to do with tariff legislation—there can be placed on that committee the very men who represent the great manufacturing industries of this country. Then in harmony with this situation, the chairman of the committee may appoint subcommittee chairmen, who are specially interested in important legislation in which certain big States are interested. But when the bill prepared by such men is brought on the floor of the House the whole body should be given the privilege to consider it.

Mr. GARNER. Will the gentleman yield?

Mr. SPROUL of Kansas. I yield.

Mr. GARNER. In other words, the tariff bill ought to be considered under the general rules of the House instead of under special rules?

Mr. SPROUL of Kansas. Yes; that is it.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. SPROUL of Kansas. I will.

Mr. SCHAFER of Wisconsin. How many years does the gentleman think it would be before the House could get through with the tariff bill if it considered all of the amendments adopted in the Senate separately?

Mr. SPROUL of Kansas. The gentleman evidently did not understand what I was saying, or he would not have pronounced that question. There is a big difference between permitting the consideration of all amendments, no matter how important, or unimportant, on the one hand, and giving reasonable and liberal opportunity for the consideration of important provisions of the bill.

Mr. SCHAFER of Wisconsin. Who is to decide which are the important ones—the gentleman might think that a certain amendment was unimportant, but it might be considered important by 434 Members.

Mr. SPROUL of Kansas. That might be true, but a majority of the House should determine that. There is a big difference between shutting off practically all debate on the one hand and allowing a fairly liberal debate on the other. A majority of this body has the power to shut off debate at any time and will do it when certain Members want to monopolize the time of the House by speaking too much, as some of them frequently do. The patience of the House will take care of the

situation by proper motion to close debate. In that way we can handle the situation. There is no question but that a majority of the House can control these matters.

Now, I want to call attention to one provision in the Senate bill which we are to consider soon, and that is the debenture plan for the aid of the farmers throughout the country. When that bill comes to this body it will contain a provision for the aid of the farmers of the country.

I warn this body now, both Democrats and Republicans, that if we vote to eliminate from the bill the debenture provision, we will be striking a blow at agriculture that will be heard from.

Mr. GARNER. Will the gentleman yield?

Mr. SPROUL of Kansas. Yes.

Mr. GARNER. If the conferees should bring back the question of debenture, and it should be voted on in the House, does the gentleman know how many Republicans he can get to vote to retain the debenture provision in the bill?

Mr. SPROUL of Kansas. Probably as many as we could get on the gentleman's side of the House.

Mr. GARNER. If the gentleman will furnish as many on the Republican side as there will be on this side, we will retain the debenture provision.

Mr. SPROUL of Kansas. I can only speak for one Member on the Republican side of the House, but I will say this, that the debenture provision in the bill that comes to us from the Senate is the part of the bill which will be the most popular part of it so far as the agricultural interests of the country are concerned.

Mr. GARNER. Will the gentleman yield?

Mr. SPROUL of Kansas. I yield.

Mr. GARNER. If the gentleman will furnish as many as 90 out of the 263 Members that he has on that side of the House, the debenture plan will be retained in the tariff bill when it goes to the President.

Mr. SCHAFER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. SPROUL of Kansas. Yes.

Mr. SCHAFER of Wisconsin. If the debenture is of such vital importance to the farmers of this country, how can the gentleman explain the votes of some Members in another body against the bill with the debenture in it?

Mr. SPROUL of Kansas. Mr. Chairman, I am not here to explain the vote of a Member of another body. I am merely expressing my views on this piece of legislation. I think the Farm Board should be given the power to apply the debenture plan for the benefit of agriculture. I think it is our duty to do that under the existing conditions with reference to agriculture throughout the country.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. SPROUL of Kansas. Yes.

Mr. RANKIN. Is it not a fact that the adoption of this debenture plan is our only chance now to put agriculture on a parity with industry at this session of Congress, or to even take a substantial step in that direction?

Mr. SPROUL of Kansas. I will say to the gentleman it will be a step in that direction, and I think a most important step, and in view of the declared purposes in convening the special session of this Congress, and of the experiments which have been going on with reference to farm legislation which we have enacted and the success of these experiments and in further consideration of the declarations of the National Republican Convention and the National Democratic Convention with reference to enacting such legislation as would place prices for agricultural products on a parity with those of the manufactures, I think it is our duty to keep our pledges. This particular piece of legislation, the debenture plan, is the only piece of legislation which has been before Congress which would begin to do what both parties promised to do. It is just as important for one of the parties to support this legislation as it is for the other, because both parties declared for the same thing.

Mr. GARNER. Does the gentleman think that President Hoover is keeping good faith in the interpretation of the Republican platform in coming out against the debenture plan?

Mr. SPROUL of Kansas. I will say to the gentleman that I am not placing any construction on the President's duties in this regard. It is the duty of Congress to make the laws, such laws as we who come from all parts of the country know we ought to make, to carry out the platform pledges of both parties.

Mr. GARNER. In view of the fact that the gentleman from Kansas believes it is the duty of Congress to carry out in good faith the declarations of the platforms of both the Democratic and Republican Parties and give relief to agriculture, and that this is the only step and the proper step to carry them out, what has the gentleman to say about the President keeping faith

with the platform when he urges us not to adopt the debenture plan.

Mr. SPROUL of Kansas. I very seriously doubt that the President is under obligation to use a whip, so to speak, upon Congress, to drive us to do something that he may want us to do.

Mr. GARNER. Oh, but he uses the whip to keep us from doing it.

Mr. SPROUL of Kansas. I can not agree with the gentleman from Texas. We are members of the Republican and Democratic Parties and are under obligation the same as he to carry out the pledges of the platforms of both parties.

Mr. JONES of Texas rose.

Mr. O'CONNOR of New York. Mr. Chairman, will the gentleman yield?

Mr. SPROUL of Kansas. Yes.

Mr. O'CONNOR of New York. Does not the gentleman also consider it the duty of Congress to enact legislation which Congress believes is proper, irrespective of any threat of the Executive to veto the legislation?

Mr. SPROUL of Kansas. Surely I do.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. SPROUL of Kansas. I wish first to yield to the gentleman from Texas [Mr. JONES].

Mr. JONES of Texas. The gentleman from New York asked the question that I had in mind.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. HOLADAY. Mr. Chairman, I yield two more minutes to the gentleman.

Mr. SCHAFER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. SPROUL of Kansas. Yes.

Mr. SCHAFER of Wisconsin. I hope the gentleman from Kansas will not let the Democratic leader [Mr. GARNER] get away with his attack on the President on the debenture, as said gentleman from Texas has some tall-explaining to do about so many members of his own Democratic Party in another body voting against the tariff bill with the debenture plan in it.

Mr. SPROUL of Kansas. I have not conceded any point that the gentleman from Texas has undertaken to make. I do not think the President has done anything to be criticized for with reference to this particular piece of legislation, and, furthermore, I do not think the President is subject to criticism for any industrial conditions that exist throughout the country. I think they have come about, such as they are, independent of any duty that the President owes the country, either in proposing or in opposing legislation.

Mr. SCHAFER of Wisconsin. The reason for most of the present unemployment and bad industrial conditions is that the coalition in another body delayed the writing of the tariff bill into law. The business institutions of the country can not run their plants properly and to the best advantage when they do not know what that tariff will be. [Applause on the Republican side.]

Mr. SPROUL of Kansas. I do not altogether agree with the gentleman from Wisconsin.

Mr. SCHAFER of Wisconsin. I represent a city district, and I vote for a protective tariff on the product of the farmers because I realize that the problems of the industrial workers and the farmers are mutual, and that when you provide a tariff to protect industrial workers you are going to help the farmers, because when the American workers are working for good wages they can purchase the products of the American farmers. When we provide a protective tariff on farm products the American farmers can purchase the products of the American industrial workers. [Applause on the Republican side.]

The CHAIRMAN. The time of the gentleman from Kansas has again expired.

Mr. CANNON. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. BLACK].

The CHAIRMAN. The gentleman from New York is recognized for 10 minutes.

Mr. RANKIN. Mr. Chairman, I rise to suggest the absence of a quorum. I think more Members ought to hear the gentleman.

Mr. BLACK. I am satisfied, without having the entire membership present.

Mr. RANKIN. Then I withdraw my suggestion.

Mr. BLACK. Mr. Chairman and members of the committee, I wish to call the attention of the House to the failure of one of the most important bureaus of the Government to properly function, and in that connection I wish to read some extracts from an order and a supporting affidavit from the southern district of New York by a district judge on certain grand jury

proceedings. It is entitled "Presentment and report by the United States grand jury, January morning session, 1930," on the subject of the narcotic traffic. I read:

At a stated term of the United States district court held in and for the southern district of New York, in the post-office building, Borough of Manhattan, city of New York, on the \_\_\_\_\_ day of February, 1930.

Present: Hon. \_\_\_\_\_, United States district judge.

In the matter of the presentment and report by the United States grand jury, January morning session, 1930, on the subject of the narcotic traffic.

On reading and filing the annexed affidavit of Charles H. Tuttle, United States attorney, it is

Ordered, that the United States attorney be authorized to furnish to the Attorney General of the United States and to the Secretary of the Treasury of the United States a summary of the evidence presented before the said United States grand jury in the above-entitled matter, in so far as such evidence relates to the conduct of certain officials and employees connected with the Customs Service and the narcotics bureau. Enter.

UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF NEW YORK

In the matter of the presentment and report by the United States grand jury, January morning session, 1930, on the subject of the narcotic traffic.

SOUTHERN DISTRICT OF NEW YORK, ss:

Charles H. Tuttle, being duly sworn, deposes and says: I am the United States attorney for the southern district of New York and have given personal attention to the above-entitled matter; that the grand jury of the United States of America duly empaneled and sworn in the District Court of the United States for the Southern District of New York, and inquiring for that district and constituting the grand jury convened in the month of January, 1930, and continuing their investigation three weeks beyond the termination of the month for which they were empaneled, had had presented before them certain evidence on the subject of the narcotic traffic.

That numerous witnesses, including agents and officers of the Narcotic and Customs Service, were heard during the said inquiry and certain testimony was adduced.

At the close of the inquiry and upon the day when the grand jury adjourned sine die, they attended before the United States district court and made recommendation to the presiding judge, the Hon. \_\_\_\_\_, United States district judge, in the following terms:

Concerning the actions and conduct of certain officials and agents of said narcotic and Customs Service:

"We feel that with the permission of the court a summary of the testimony of the witnesses on this subject should be forwarded to the Secretary of the Treasury by the United States attorney, in order that the Secretary may take such summary action in the premises as he deems proper. We respectfully venture to believe that the aforesaid practice merits severe action against all persons responsible therefor."

And, further, in the same presentment, recommended as follows in the same connection:

"Our judgment in these respects has been recorded on our minutes and is known to the United States attorney, who is authorized to communicate it to the proper authorities with the summary of the supporting evidence."

Under the Federal law the minutes of the grand jury are in the custody of the court, and without authorization from the court I would not feel warranted in imparting to others either copies of its minutes or a summary of their contents, but in view of the character of the testimony and in the interests of justice, I think the transmittal as recommended by the United States grand jury, as aforesaid, is justified, in the aid of proper cooperation in the promotion of good government.

I, therefore, respectfully ask that an order be entered, authorizing me to furnish to the Attorney General of the United States and the Secretary of the Treasury of the United States a summary of the evidence presented before the said United States grand jury in the above-entitled matter, in so far as such evidence relates to the conduct of certain officials and employees connected with the Customs Service and the narcotics bureau.

Sworn to before me this \_\_\_\_\_ day of February, 1930.

This is a rather extraordinary order; an order of a Federal district judge, directing a Federal district attorney to send to the Treasury Department a summary of testimony taken before a grand jury in connection with the official actions of employees of the Treasury Department. I have not heard of such an order in connection with any other department.

Let me read from the affidavit of the district attorney. He states in his affidavit concerning the actions and conduct of certain officials and agents of said narcotic and Customs Service:

"We feel that with the permission of the court a summary of the testimony of the witnesses on this subject should be forwarded to the

Secretary of the Treasury by the United States attorney in order that the Secretary may take such summary action in the premises as he deems proper. We respectfully venture to believe that the aforesaid practice merits severe action against all persons responsible therefor.

Here is a statement of the grand jury of the southern district of New York calling the attention of the Secretary of the Treasury to the fact that actions of his subordinates require severe disciplinary motions on his part.

What happened after that? After this testimony was taken and a Federal judge and a Federal district attorney and Federal grand jurors thought the evidence of dereliction on the part of their employees was of such serious consequence as to merit this extraordinary order, what did the Treasury Department do?

The Treasury Department proceeded to punish the men who gave the grand jury the information and proceeded to transfer and to demote them and to take them away from their families and send them to foreign posts, the very men who showed up the situation to the grand jury. The grand jury is composed of business men in New York, and they spent a lot of time investigating a condition that should have been known by the Treasury Department, and when, having shown to the Treasury Department the rottenness of the situation, the Treasury Department takes the wrong angle of the situation and censures upright men. Two of the men connected with the grand jury, Mr. Parker Sloane, chairman of the grand jury committee appointed to urge the recommendations of the grand be carried out, and Mr. Arthur S. Cox, the foreman of the grand jury, wrote to Secretary Andrew Mellon, saying, among other things:

This committee learns that as a result of the presentment a high authority ordered that a house cleaning be made in the narcotic bureau from top to bottom. What has happened? The offenders have been transferred to soft berths, while the honest agents, without whose testimony the sore spot could not be uncovered, have apparently been punished for their testimony and on a day's notice have been obliged to break up their homes, receiving arbitrary assignments to remote posts.

These transfers can only be viewed in the light of reprisals for information furnished to the United States attorney and grand jury, and such action is unworthy of the Assistant Secretary of the Treasury of the United States directly in charge of these matters.

We do not believe in reprisals for honest work, and if the conscientious public servants are to be disciplined for giving information as to dereliction or worse on the part of their coworkers or superior officers future investigations by the United States attorneys and grand juries will likely be barren of results.

What a ridiculous position for the higher officials of the Treasury Department to take to enforce the law, to give soft berths to the very men against whom the grand jury filed a general presentment, and to discipline the very men who have been upright and loyal and courageous enough to give the information to the grand jury! I wonder whether Mr. Andrew Mellon would promote men in his bank against whom testimony showing that they were unfit was given. I wonder if he would throw out and dump the honest men in his bank and advance the other fellows.

Mr. O'CONNOR of New York. Mr. Chairman, will my colleague yield?

Mr. BLACK. Certainly.

Mr. O'CONNOR of New York. I think also the officials in that bureau, going right up to the head of the bureau, were people of Boston, and not of New York.

Mr. BLACK. Yes. I understand that one of these men in the narcotics bureau said Congress was to blame for the inefficiency in the enforcement of the law. It was stated that Col. L. C. Nutt, former deputy commissioner in charge of the narcotic headquarters at Washington, had said that Congressmen and Senators interfered with the administration of the narcotic law, naming several United States Senators. It was also brought out that one of the men employed in the enforcement of the narcotic work was himself a drug addict at one time. The department says he had been cured, but he is in charge of the drugs that were seized by Government agents and which were supposed to be destroyed. I understand, too, that instead of the proper disposition being made of these drugs, substitutes were used for the seized drugs, and that these substitutes have been destroyed. Nobody knows what became of the narcotics.

I have a resolution which I have introduced to investigate the narcotics bureau, and that resolution is pending before the Committee on Rules. Charges have been made against certain employees. The administration ought to want this investigation to be made. I also want to know what happened to the seized drugs; whether they are turned back; whether official peddlers are competing with unofficial racketeers and others in the disposition of these drugs. The public ought to know this. I want to know why these men who gave the evidence under

oath to the grand jury have been transferred. I want to know why they have been given soft berths. I want to know what happens to agents who have been charged with padding expense accounts. Those things should be known. Congress, inasmuch as it has been charged with interfering with the efficiency of the narcotics bureau, should see to it that this resolution, No. 189, is passed. There is no worse crime than inducing people to become drug addicts. Nobody has any sympathy with the man who distributes drugs. We do not want the Federal bureau of narcotics to be in any way linked up with the drug peddlers. It is one of our paramount duties to see to it that there is a thorough house cleaning in the narcotics bureau.

I understand the district attorney has sent down a summary of the evidence. It will be interesting to watch what the Treasury Department does in the matter of transfers, and in the matter of discipline, in the matter of promotions, after this summary of testimony has been digested by them. I have enough respect for Andrew Mellon to believe he will reverse the position taken by his subordinates after the presentment by the grand jury. [Applause.]

Mr. HOLADAY. I yield 30 minutes to the gentleman from Michigan [Mr. HUBSON].

Mr. HUDSON. Mr. Chairman and gentlemen of the committee, I have asked this time this afternoon in order that I might bring before the House something of the merits of the legislation proposed by the bill, H. R. 9986, or what would be commonly known as the "movie bill."

The cinema has become the most influential medium of expression in the world—

Says William Marston Seabury in his recent book.

It is in daily communication with countless millions of people of all degrees of intelligence.

There are 20,000,000 people attending motion pictures per day in the United States. This is about one-sixth of all the people in the Nation. Three-fourths of this vast audience is under 24 years of age, according to the estimate of the Federal Trade Commission. That means 15,000,000 of the younger generation. Hon. John J. Tigert, as National Commissioner of Education and the Federal Trade Commission has declared that the motion picture is a greater influence in the character, habits, dress, morals, and general conduct of our youth than the public school. Yet in spite of the fact that the influence of the motion picture is so great, the producers have almost unlimited license to put before our youth anything that they see fit.

One of the cleverest plans for public cooperation suggested by the Hays office is "Boost the best, ignore the rest." They claim that they are producing wholesome pictures as fast as gate receipts justify. This is untrue, for the best pictures morally have always paid the best. This has been repeatedly proven, year after year, as the lists of best sellers published by the industry have almost invariably been the best pictures morally that they have produced.

However, "Boost the best and ignore the rest" is a wonderful plan to increase the gate returns of the industry, for if we will advertise the good pictures and get every one we can to go to the good picture, they will get all the money they can out of the good pictures. If we will say and do nothing about the bad pictures, but let them produce and advertise the bad pictures, as they so well know how, they will get all the money they can out of the bad pictures. Having gotten all the money they can out of the good pictures and all the money they can out of the bad pictures, they are satisfied, but we continue to get a flood of worthless and worse films to retard and restrict the character development of our youth. Clearly, there must be a plan of activity more productive of desired results.

The moving-picture industry shows signs of nervousness and agitation now that a "big stick" in the form of a bill to control dictatorial trade practices and "movie education" of the public intelligence threatens to fall. The bill introduced by me is a direct result of the cleverness of the industry—Fox, Paramount, Warner Bros., and Radio-Keith-Orpheum—at evasion and defeat of the Federal Trade Commission in its endeavor to eliminate the objectionable practices of alleged monopolistic chain theaters, block booking, and blind booking.

Two suits, numerous hearings, and repeated orders on the part of the Federal Trade Commission have only resulted in many superlatives and promises at the information desk—Will Hays—and flank movements by their legal talent. The Government has become an active factor in a situation which has promise of being a struggle of some magnitude.

The motion-picture industry, with its nation-wide operations, has become by nature a public utility in fact if not in name. It has become as much a public utility as has rail transporta-

tion, electric lighting, and telegraphic communication, though alternatives and substitutes are available in each case. That this status is already attained is evidenced by the industry's yearbook showing the huge extent of their operations.

Every week in this country the pretty girls in the glass box offices sell high-powered entertainment at the tune of 100,000,000 a throw in the 20,500 theaters in this country, while in the same week in foreign theaters, numbering 37,000, we find 150,000,000 people of other countries wondering what happened to the descendants of the Puritans. When the ordinary mortal wants entertainment he can get in line on the highway or-pay "four bits" and take a chance on what the production managers give him.

In the search of production and distribution economies the movie men have hit upon the effective scheme of "block booking," by which the local theater manager must buy his pictures—the poor along with the better and best—in blocks of as many as 60, or even 80, without the privilege of choosing what he wants or rejecting more than 10 per cent of the pictures he receives. It is claimed by the independent showman that he has to buy 60 films for 30 showings and take a chance on reducing his dilemma by farming the rest out—if he can.

In other words, the independent exhibitors of this Nation find themselves throttled with the octopus of the trust of the industry. They can not say "We will show within our neighborhood such and such films." If they do, it means they must take a financial loss on the purchase of from 7 to 10 films that they can not show in their places of amusement because of the character of their clientele.

Again and again you may go to an independent moving-picture theater owner and say, "Why are you putting on this kind of a film in this class neighborhood," and he will say to you, "We have to buy them. We have no option. We must buy in block booking, and if we want a certain film that is produced we must take those that we have no desire for to make up a block, and the contents of which we know nothing about."

The result is that the big chain theaters do the booking and take the most desirable films and the neighborhood theater has the choice of dishing out to the kids in the neighborhood what the grown-ups in the downtown theaters can not stomach or else wait a year for something more palatable.

A second practice—that of "blind booking," an old Spanish custom that has all the dressings of a "racket," whereby the exhibitor has to book his pictures before they are produced without a chance to see them and to know whether or not they are suitable for his clientele. It is sort of naïve in its audacity, but they say it works. Afraid of the consequences, the local moving-picture house managers in the United States have been afraid to raise little more than a muffled whisper against such practices. Of course, if the independent does not like this, he can always sell out—to the chain and at their price.

In discussing his bill I desire to point out that the motion-picture industry has shown either inability to manage their own house with the business ethics we demand and insist on or on the part of our other big industries or a disinclination to do so. Since 1921 Will Hays and his aides in "pronastication," Messrs. Colonel Joy and Carl E. Milliken, have solemnly avowed as official spokesmen for the Nation's fourth largest industry to purify and elevate that industry along definite and commendable lines, but in the intervening nine years there has been nothing but evasion in a cloud of legal technicalities, and it is my desire to turn the machinery of government and make them do exactly what has been promised for the past nine years.

The very delay on their part has made necessary a form of control. Their contention that box-office sales refute this hardly holds water. It is not the morons and illiterate who keep the movie coffers from getting rusty; rather, it has become the great American recreation, and there is no alternative in the amusement field—you take the canned entertainment whether it offends your sensibilities or not.

The critics of the bill claim that section 14, dealing with the subject matter going into the films, puts up a censorship. It is, however, a bit of byplay aimed to defeat the measure, as is proven by the fact that this section is but the incorporation into the bill of the producers' own code or standard of quality for films adopted in 1921 and reaffirmed in each subsequent year up to the present time, but which the "czar" of Hollywood seems unable to enforce among his four "subjects."

This bill comes to their defense with a Federal commission with the power of the law behind it to help enforce the industry's own avowed intentions and standards. Intelligent cooperation on the part of the producers will effectively dispense with any necessity for censoring action on the part of the proposed commission.

Facts speak for themselves. In the four years from 1924 to 1927, inclusive, the New York censors eliminated 4,825 scenes as "tending to incite crime" and 3,763 scenes as "indecent, or obscene, or immoral, or tending to corrupt morals." In 1928 the Chicago censors made 6,470 cuts from films. When one considers what the Chicago and New York censors left in the pictures, no one can accuse them of being old maidish. But the important fact is that the thousands of communities outside the jurisdiction of the censorship did have these scenes dished up to their children. Of course, they are only children, but their desires of to-day are being molded for their appetites of tomorrow.

The United States is now the world's greatest exporter with motor cars and movies well in the fore. We furnish the little sum of 90 per cent of the world's cinema entertainment, and this inevitable education of our foreign neighbors in "gangster technic" and "wild parties" has been responsible for the fact that 64 per cent of the territory covered by our moving-picture foreign market has increased its censorship restrictions. Further, in 1928, 57 American films were banned entirely abroad. If they were not banned on account of plain rottenness, they were banned as insulting and derogatory to that nationality.

Without a doubt our pictures have stimulated foreign people to want to buy certain machines and other American products, but if, along with these commendable results, they poison the minds of Europeans and South Americans against American culture and misrepresent our ideals and character, the net result can hardly be called an asset. As Doctor Galieni, an eminent educator of Uruguay, said at a dinner during President Hoover's good-will tour of South America, the type of motion pictures coming from our studios constitute one of the main obstacles to a proper understanding between the United States and South American countries. Those people can not know that those pictures suggest and reflect only a small portion of American life. It is not a case of economic jealousy but of social disgust at the great American revelation.

May I read right there from a publication along that line:

Among the statesmen and scholars who have commented upon the seriousness of the misunderstanding aroused by the motion pictures made in the United States and sent abroad are: Herbert Hoover, President of the United States of America; Charles E. Hughes as Secretary of State, United States of America; Mr. Ramsay MacDonald, Prime Minister, Great Britain; Dr. Nicholas Murray Butler, president of Columbia University, New York; M. Julien Luchaire, honorary professor of the University of Grenoble, France, inspector general of public education in France, and director of the International Institute of Intellectual Cooperation of the League of Nations; Mr. H. L. Mencken, editor of the American Mercury, New York; Mr. H. G. Wells, author; Mr. Stanley Baldwin, member of Parliament, Great Britain; and Mr. Sidney R. Kent, general manager of Paramount Famous Players Lasky Corporation. Whenever such a group become concerned with a common problem it indicates the desirability of study and possible action.

The big four in the motion-picture industry have displayed a queer combination of business acumen and lack of foresight. The really great American business institutions of this day recognize that the element of public service and responsibility go hand in hand with profits, but these exponents of the erotic contribute only gaudy palaces to the sum total of social welfare.

For nine years the Federal Government and the people of the Nation have been trying by concession, entreaty, cooperation, and, finally, lawsuits, to get this industry to clean house in their business practices and have met with cheap evasion and promises that an older and more mature industry would not countenance.

My bill is now in the Interstate Commerce Committee for consideration, and already the movie men and their press agents wildly shout "censorship" and "restriction of business." The same thing, they forget, was shouted when the Interstate Commerce Commission was proposed. The ordinary channels of government have been unable to cope with the overgrown bad boy and his adroitness. Hence the Hudson bill and loud shouts of "wolf" from Hollywood. [Applause.]

I want to say to the members of the committee and to this House that the bill H. R. 9986 is a bill to place this industry in the column of public utility and under the Federal commission. It can not be handled by censorship of city or State. It is useless, after a film has been produced at great expense, to then, in a city, by censorship attempt to cut out this or that. There should be established a Federal commission that will have the power, through conference with the producers, in the making of the film to say what it shall contain, and thus save thousands upon thousands of dollars that is now lost on account of local censorship.

Mr. BLOOM. Will the gentleman yield?

Mr. HUDSON. I yield gladly to the gentleman from New York.

Mr. BLOOM. I was much interested in what the gentleman had to say about the film industry. Is that not what they are doing now in Hollywood? A censorship board looks over the films and cuts out any part which may be objectionable. If this bill should become law, would not the States have the same right to cut out certain scenes from the pictures, the same as they have been doing, as you have enumerated here? How would the gentleman regulate that?

Mr. HUDSON. I would think that while the right would be there, possibly that would not be true; but let me ask the gentleman from New York this question: The gentleman says that at Hollywood the industry has its own approval board and it passes upon the film as it is brought out. Evidently they have not very much spine, judging from the character of the great majority of films that are produced. But, may I say to the gentleman from New York, I am as much concerned with the Federal trade practice of the industry as I am with its censorship.

Mr. BLOOM. I did not want to talk about the Federal trade practices.

Mr. HUDSON. No. I am not saying that the gentleman is here speaking for the industry or trying to cover up its defiance of the Federal trade act, but the industry is trying to call attention to what they call censorship and pull the wool over the eyes of the people with reference to their block booking.

Mr. BLOOM. These people have the finest theaters in the world in which to show their pictures. As a business proposition, does the gentleman not agree with me that the producers of pictures are just as much interested in getting the best pictures as anybody else—pictures that are clean in every respect to show in their theaters—because if they do not, would they not drive people from their theaters?

Mr. HUDSON. But, let me ask the gentleman from New York, whom I count one of my friends, if that is true, the protests against the class of pictures would have decreased instead of having increased.

Mr. BLOOM. The gentleman is blaming all of this to the Moving-Picture Trust. What percentage of the films on which the censorship boards of New York City and Illinois have acted were independent films, produced by fly-by-night concerns?

Mr. HUDSON. I would say not to exceed 10 per cent, and probably not to exceed 5 per cent.

Mr. BLOOM. The producers are interested in getting out pictures which the people want and in the cleanest way.

Mr. HUDSON. If that is true, they can not raise one single objection to this proposed legislation.

Mr. BLOOM. Oh, yes, they can.

Mr. HUDSON. Does not the gentleman realize that it will save them thousands and thousands of dollars, for they can dismiss our friends Hays, Milliken, and Mrs. Winter, to whom they are paying enormous salaries, from \$100,000 down?

Mr. BLOOM. If you are going to have a Federal commission sit in judgment upon these films and then have every State in the United States sit in judgment on these films, there will not be any films left. They are going to keep on cutting out.

Mr. HUDSON. This commission can simply do what any other Federal commission does—make a standard—and then it will be up to the producers to make their films in accordance with that standard, and they will not have the expense of having produced a film which Chicago will not allow and which New York will not allow.

Mr. BLOOM. But they must wait until a film is finally produced; is not that a fact?

Mr. HUDSON. No.

Mr. BLOOM. Could we have this commission go throughout the country and sit while these films are being made in every part of the United States?

Mr. HUDSON. The producers of the films will know whether they can meet certain standards or not.

Mr. BLOOM. They can not know that, because New York State allows a certain thing to be shown and we take that picture and show it. Then we go out to Illinois and they say "cut that out." New York City puts in what Chicago cuts out and Chicago puts in what New York cuts out.

Mr. HUDSON. Let me say to the gentleman from New York that he is attempting to obscure the issue.

Mr. BLOOM. I would not say that.

Mr. HUDSON. But he knows and I know that if there is a Federal commission you would not have any trouble with State or city commissions.

Mr. O'CONNOR of New York. Will the gentleman yield?

Mr. HUDSON. I yield with pleasure.

Mr. O'CONNOR of New York. I sympathize with what the gentleman is talking about because I was in the New York

Legislature when we had the censorship proposition there. I do not know that censorship in New York has improved the type of films, but really believe that it is certain people in the business who are accountable for the type of films. I do not believe that censorship will protect that. But that is not what I wanted to ask the gentleman about. He talks about this booking situation. Now, has not the Federal Trade Commission, as has been shown in certain litigation which has been brought, adequate power to take care of that?

Mr. HUDSON. Evidently not, because they have never gotten any results from it over a period of years. As the gentleman from New York well knows the Federal Trade Commission has attempted to break up this system of block booking and blind booking. I went into a movie out in my district of Chevy Chase with my boys not long ago. I left halfway through the movie, and I said to the manager on going out: "Why in the name of decency are you showing that picture in this district? You know the people do not want it."

He said: "This is our off night. I had to take this picture with other pictures, and I had to either put it upon the shelf or show it; and this is the night of the week when we have the fewest people present. So I have to show it, but I do apologize to my clientele for showing it. I was compelled to take it in order to get my other pictures."

Now, that is an unfair trade practice, as the gentleman from New York realizes, and we ought to break it up. If we can not do it through the present Federal Trade Commission then we must have a Federal commission especially empowered to do it.

Mr. O'CONNOR of New York. I do not recall what the result of this litigation was, if it is finally completed, but it was my recollection that something had been done about that situation.

Mr. HUDSON. No; I believe not. They can not do it because of the peculiar contract that is drawn, which contract protects the trust and leaves the exhibitor at their mercy. They say, "There is a board of appeal," but they make the board of appeal; it is their board of appeal, and the independent exhibitor has no recourse.

Mr. BLOOM. If the gentleman will yield further, the gentleman from New York was asking about the Federal Trade Commission.

Mr. HUDSON. Well, the Federal Trade Commission has found itself absolutely unable to cope with the situation, so we should have a Federal commission to settle this thing once and for all.

Mr. BLOOM. That arrangement has always been in effect, at least it has always been in effect with regard to theatrical performances; in other words, they book for the season. They can not wait until a moving picture comes out and then book it, because if they did that and then found they had booked a bad picture they would have to close the theater.

Mr. HUDSON. The gentleman is speaking about blind booking?

Mr. BLOOM. That is blind booking.

Mr. HUDSON. But under the block-booking system they know what the film is to be.

Mr. BLOOM. If this movie proprietor knew he had a bad film, does not the gentleman think it would have been better business for him to close his theater than to show the picture and have his clientele protest against it?

Mr. HUDSON. I would have considered that to be the better thing to do. Now, you take Mr. Butterfield, whom the gentleman from New York, perhaps, knows; he owns a theater in my own city and a number of them, and he stands on that statement, that they are helpless, that they must take the film. Of course, he could put such films on the shelf and not show them, but that would result in great financial loss.

Mr. BLOOM. The gentleman may think a film is a bad film, but 999 people in the theater may think it is a very good film. There is where your censorship comes in, and you can not get everyone to think the same as you and I think.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. HOLADAY. Mr. Chairman, I yield the gentleman one additional minute.

Mr. HUDSON. In reply to the gentleman from New York, let me state this over again: I am not concerned about the censorship of this matter but I am concerned with this unfair Federal trade practice of block booking and blind booking. I want that done away with, and that is the main intent of the bill. [Applause.]

Mr. HOLADAY. Mr. Chairman, I yield to the gentleman from Ohio [Mr. BRAND].

Mr. BRAND of Ohio. Mr. Chairman, the road bill authorizing \$125,000,000 per year to be used in cooperation with the States passed the House some time ago and was amended in

the Senate. Conferees were appointed and they have agreed to-day and the bill has passed in the House, and no doubt will pass the Senate to-day. This will provide \$50,000,000 from the National Government additional to what has been appropriated for that purpose in previous years and will stimulate road building throughout the country and favorably affect the unemployment situation as well as provide improved roads.

The amendment agreed upon by the conferees provides for a change in the amount of money a State can use of the Federal fund on a mile of road. Fifteen thousand dollars per mile has been the limit under all conditions, but under the amendment adopted if a State has finished the original 7 per cent of her roads she will be able to use \$25,000 per mile of the Federal fund, provided the Secretary of Agriculture and the Director of the Bureau of Roads are willing to certify to that amount; but this will not increase the total amount of money received from the Government by any one State.

There have been great impediments to road building in the States on account of the plan of financing because the State treasuries had limited funds to draw upon and the highway departments have been compelled, and some of them are even now compelled, to go out in the counties where the roads are being built and secure all or a part of the funds. This made it difficult to build a continuous road because of one or more weak counties where it was difficult to secure the funds.

The laws in many of the States also provided that the property adjacent to the road should be assessed for a small or a large amount of the cost of the road, and this made it necessary to get the active participation and consent of the people along the road, sometimes levying taxes upon adjacent property that was almost confiscatory.

This plan in the United States of securing money for road building was probably inherited from the English system. A study of road building in Europe indicated to me that in France the central government built the main roads without expense to the subdivisions. In Germany I found similar conditions, and this may be explained on the ground that these countries needed substantial roads for military purposes and the central government provided them. In England I found a situation extending at least up until 1923, where the central government went out to the subdivisions for a considerable part of the cost of the roads.

Originally in road building in the United States the farmers were the most interested parties, as they wanted a road to get back and forth from town, and they furnished the land free of charge that was to be occupied by the roads. They were assessed the entire cost of building the roads and making the original pikes.

When the expensive road building became necessary on account of the automobile, the States gradually assumed a part of the burden—some of them 50 per cent of the cost—and continued to collect the balance of the money in the counties, assessing the counties a certain proportion, the townships a certain proportion, and the adjacent property another proportion; but all of these local assessments were largely collected from the land.

In Ohio, at least two-thirds of the cost of the roads, outside of the amount contributed by the States, was collected off of the land, and road building became a great burden to the farmers.

The original idea that the roads in the country were for the benefit of the farmer was still guiding legislation to too great a degree, because the automobile had changed the situation, and roads had become more important to the city population than they were to the country. How was this to be proven?

For Ohio, we asked the Bureau of Roads in Washington to make a census of the vehicles on the roads, and eventually the Bureau of Roads in Washington furnished one-half of the money and the State of Ohio the other one-half for such a survey. When the survey was tabulated it was found that only 12 per cent of the vehicles on the roads were farmer owned and 88 per cent city owned. This survey in our State served to prove to the legislature that the State system of roads containing the main roads in the State should be paid for out of the State treasury, and laws to that effect were passed, but in the meantime hundreds of millions of dollars have been assessed against adjacent property in Ohio for these main roads, and the farmers are still paying these assessments.

In Iowa, I am informed, this same condition prevailed for a time, but the State took over the construction of the main roads at an earlier date and saw fit to pay back to the farmers the assessments of this kind that had been levied.

To do justice to the farmers in Ohio, the State might well consider following Iowa's example.

In many of the States we still find the old laws in force and the highway departments of those States have trouble in financing the projects. This explains why continuous good roads are

so difficult in those States, and the sooner such States take over the burden of building and maintaining the main roads the sooner we will have continuous good roads.

In many of the States the roads are now built out of the State treasury, but the bridges are still paid for by assessing a portion of the cost to the county where the bridge is—generally one-half of the cost. This is an impediment to bridge building and explains why we run against narrow bridges where one vehicle only can be accommodated, serving as a danger place for all traffic.

Overhead construction for railway crossings is on the same basis, and until the States take over the entire cost of making the roads safe as far as the public part of the expense is concerned, we will not eliminate grade crossings rapidly.

Another point is that the States are inclined to widen roads at the expense of farmers, taking additional land without any payment for same, tearing down fences and forcing the farmers to put up the new fences on the new line. When the States determine to pay the expense of these new fences, another obstacle and impediment to road building will be done away with.

The idea that the State road is a great benefit to the farm adjacent has been proven by experience an erroneous theory.

After these roads are built it soon develops that you have something worse than a railroad track along the front of your property. With a railroad track you know that trains come at certain scheduled hours, but the State highway is a continuous performance of fast-moving vehicles that prohibits the use of such a road for ordinary farm purposes. It becomes a noisy thoroughfare with a stream of vehicles only abated for 3 or 4 hours during the 24—dangerous to every living thing that grows on a farm. Teams are no longer being used on such a road and livestock go upon such a road at their peril.

Public need requires such a road and the entire cost should be met by the public. The contribution by the National Government in the way of Federal aid is both wise and fair. The Government uses the roads of the country every day for the distribution of the mail and it is only contributing on the main roads.

Traffic is now interstate to an ever-growing extent and the Nation is under obligation in the matter of interstate traffic.

Finally, in the case of war, mobilization of our resources can be done most easily by the use of the main roads of the country, and these main roads, built for heavy traffic, are a most important factor and part of national defense.

Mr. HOLADAY. Mr. Chairman, I yield 40 minutes to the gentleman from California [Mr. WELCH].

Mr. WELCH of California. Mr. Chairman and Members of Congress, I have introduced in Congress H. R. 8708, which has for its purpose the exclusion of certain citizens of the Philippine Islands from the United States, placing them in the same status as the Chinese under the Chinese exclusion act of 1882 and the Japanese under the Japanese exclusion act of 1924.

One of the gravest problems that has ever faced the people of the Pacific coast is the third invasion of our country by a horde of nonassimilable Asiatics, which has already resulted in very serious and deplorable race riots. Recently the world was startled by dispatches from the Pajaro Valley in California, revealing the intense jealousy and racial hatred which these Asiatic immigrants have aroused.

But, my friends, these occurrences were only what we of the Pacific coast have long feared. The States of California, Oregon, and Washington are more remote from us here in the National Capital than the shores of Maine are from the coast of Europe. These three Pacific Coast States are the outposts of western civilization. Asiatics have always looked with longing eyes on the rich, fertile valleys of these great States, California, in particular, has a mild, semitropical climate favorable to the most diversified agricultural production. In area it is the second largest in the Union, and its industrial development is equal to that of many States in the East. If it had not been for the immigration restrictions which the Federal Government placed against the Chinese and the Japanese, our State would to-day be overrun by these orientals in overwhelming numbers. With the discovery of gold in California in 1849, Chinese laborers began to flock there, so that at a later period it became vitally necessary that very stringent measures be adopted. Consequently, in 1882, Congress passed the Chinese exclusion law. It is well to remember that the preponderant majority of the Members of that Congress had no oriental race problem in their own respective States. They enacted that law solely in response to the earnest plea of their American brothers on the Pacific seaboard that congressional action be taken before the Chinese problem became a nation-wide menace.

During the early part of the present century the Pacific coast experienced the second Asiatic invasion, consisting of

Japanese coolie laborers. This mass immigration of Japanese laborers was welcomed by a certain class of selfish employers who had no scruples concerning the social and economic welfare of their own race. The Japanese, thrifty and ambitious, immediately proceeded to engage in every conceivable business from baker to banker. With astounding rapidity they acquired control, either by lease or by purchase, of vast areas of the most fertile soil in California. They brought their women with them and raised large families. Their wives and children assisted in the work in the fields. During the period when Japanese immigration was at its height there was one school district in the Sacramento Valley in which 80 per cent of the school children were Japanese. So it happened that the white landed proprietor and the white business man joined the white workingman in the movement which resulted in the Japanese exclusion act of 1924.

Now, Mr. Chairman and Members of the House, a third problem faces us. Filipino laborers, many of whom were first lured to the Hawaiian Islands by American proprietors of the extensive sugarcane fields and sugar mills, have recently been coming to the Pacific coast in large numbers. Their presence in competition with the white workingman has so roused the latter that he has resorted to unlawful violence and bloodshed. We of California deeply deplore such occurrences, but we must admit that we foresaw them as inevitable. We are now doing and will continue to do our utmost to insure protection for the thousands of Filipinos now residing in our State, but the real solution of this problem, my friends, can be made only here in Congress.

Twenty years ago, in 1910, our census gave the Filipino population of the United States as 160. In 1920 it was 5,603. It is now estimated at 50,000. Those figures are for continental United States.

Mr. MORTON D. HULL. Will the gentleman yield for a question?

Mr. WELCH of California. I yield.

Mr. MORTON D. HULL. What would the gentleman say to the suggestion of Philippine independence as a cure for the problem?

Mr. WELCH of California. If it were necessary I would welcome it and vote for it.

In the Hawaiian Islands there are 60,000. In 1928 the port of San Francisco admitted 4,895; the port of Seattle, 1,513; and the port of Los Angeles, 585. Figures obtained from the port of San Francisco show that this immigration in 1929 was 50 per cent greater than in the previous year.

Now, we should take into consideration several facts concerning these Filipino immigrants: Practically all of them are males between the ages of 17 and 25. Less than 4 per cent are females. These Filipinos do not come as colonists. They seek transient labor and their wages are far below those on which an American, particularly a man with a family, can live. At present, unemployment is a very serious problem on the Pacific coast as well as in other parts of the country.

Many employers of labor have turned thumbs down on the white applicant who is over 40 years old and, as I have said before, the Filipino immigrant is under 25. His physique is adaptable to light industry, the only occupation which remains for our great surplus of white workingmen who have passed the age of 40.

It may be asked on what ethical basis we can justify a law excluding the inhabitants of one of our dependencies. It may not be generally known that, if it were not for the immigration restrictions which our Federal Government has long been enforcing to keep Japanese, Chinese, and other Asiatic races from entering the Philippines, the Filipino himself would now have no racial identity. He would have been overwhelmed by other races of invading Asiatics. If we were to withdraw our protecting influence, the Filipino, as a race, would become extinct. Do we not, may I ask in all fairness, have a moral right to protect the racial integrity of our own people by excluding a race which scientists, as well as our own instinct, tell us should not mix their blood with ours?

Due to the absence of any restrictions, Filipino immigration is increasing from month to month. In the very order of things, this problem is bound to become so acute that it will test every power of our State governments on the Pacific coast. It will be increasingly difficult for California authorities to guarantee protection of life and limb, which should be accorded to every human being. I earnestly ask you Members who represent other sections of our country to give us the same consideration your predecessors did on two previous occasions, when they passed the Chinese exclusion law of 1882 and the Japanese exclusion law of 1924.

The demand for Filipino exclusion existed in California long before the recent unfortunate occurrence. The necessity for

restricting the immigration of this nonassimilable race was finally recognized officially by the Legislature of the State of California in the following resolution adopted during its last session:

ASSEMBLY JOINT RESOLUTION NO. 15—CHAPTER 81

Assembly Joint Resolution No. 15—Relative to memorializing and petitioning Congress to enact legislation for the restriction of Filipino immigration

(Filed with secretary of state May 15, 1929)

Whereas the policy of unrestricted immigration as an aid to cheap labor has had a tendency toward destruction of American ideals and American racial unity; and

Whereas this policy has tended to exploit the negroes, the Japanese, and the Hindus, resulting in their regulation or exclusion; and

Whereas Filipinos have not been among those excluded under the immigration laws of the United States in accordance with our national policy of restrictive immigration; and

Whereas the present absence of restriction on immigration from the Philippine Islands opens the door annually to thousands of Filipinos, causing unjust and unfair competition to American labor and nullifying the beneficial results to be expected from a national policy of restrictive immigration: Therefore be it

*Resolved by the Assembly and the Senate of the State of California, jointly,* That the Legislature of the State of California earnestly petitions Congress to enact legislation which would restrict immigration from the Philippine Islands; and which will prevent all Filipinos entering the United States who are afflicted with communicable diseases; and be it further

*Resolved,* That the chief clerk of the assembly be, and he is hereby, directed to send copies of this resolution to each Member of the Senate and the House of Representatives of the United States.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. WELCH of California. I yield.

Mr. SCHAFER of Wisconsin. How does the State of California stand on the so-called Box legislation to put the immigrants from Mexico and South American countries under the quota system? I believe that is a more serious problem from a labor standpoint than the Filipino problem in California.

Mr. WELCH of California. If the policy expressed in the Box bill were submitted to the people of California on a referendum, it would carry overwhelmingly. The people of the State of California are absolutely in favor of Mexican restriction.

We have in California an organization of which we feel justly proud. It does not exist for propaganda purposes and it does not serve any special interests in our State. It is known as the Commonwealth Club of California, and it was founded over a quarter of a century ago. It is a fact-finding, not a fault-finding assembly, which conducts an open forum for the free and frank discussion of all problems affecting the social and economic welfare of our citizenship. For that reason, its membership comprises the most intelligent leaders of all social and economic groups. Permit me, ladies and gentlemen, to quote the words of Dr. David P. Barrows, a member of the Commonwealth Club, who, for nearly 20 years, has been professor of political science in the University of California. During four years of his professorship he served as president of that university. Furthermore, he is particularly well qualified to appraise the characteristics of the Filipino immigrant, because he spent 10 years in the Philippines, first as superintendent of schools in Manila, and later as director of education for all the Philippine Islands. At a meeting of the club in May, 1929, Doctor Barrows spoke as follows:

Filipinos are an extremely ambitious people, curious, eager, and ready to make great sacrifices to better their condition and to advance their education. They turn eagerly to our schools. Surprising numbers of them manage, through their own efforts, to complete our high school and even college and university courses. They learn easily, have a real facility for picking up new ideas, and even adjusting them to their own experience; in fact, a facility so keen that it tends to self-deception as to the solidity and validity of their knowledge.

He [the Filipino] makes a good friend—generous, loyal, untiring in friendly services, buoyant, lively. He is a fine companion for almost any kind of adventure.

On the other hand, it is necessary to note what Doctor Barrows says about another phase of Filipino character, which is very relevant to the problem of Filipino immigration:

Their vices are almost entirely based on sexual passion. This passion in the Malay, and which includes practically all types of Filipinos, is inordinately strong, and, in accordance with native custom, it is rarely directed into the channels or restrained by custom or individual will. The irregularity of his conduct and the social problem in American life

which his presence aggravates is, in my opinion, entirely based on this phase of his character.

The evidence is very clear that, having no wholesome society of his own, he is drawn into the lowest and least fortunate associations. He usually frequents the poorer quarters of our towns and spends the residue of his savings in brothels and dance halls, which, in spite of our laws, exist to minister to his lower nature.

The question of his assimilation into our race through intermarriage I regard as wholly inadvisable and inadmissible. \* \* \* I favor our State laws which forbid or discourage intermarriage of American stock and other branches of mankind. The American social problem is already complicated by the presence, in the Western Hemisphere, of three distinct races of man—the Indian aboriginal population, the colored race, and the white. We should not add to the difficulties and complexities of this problem by introducing a fourth element from the Continent of Asia.

As regards the possibilities of legislation controlling and regulating his admission to this country, I am convinced that the powers of Congress are wholly ample and should be invoked. Congress is the only authority which can furnish the regulation that is required. It should be candid, unhypercritical, and defined on the ground of our interest solely.

\* \* \* I favor the continuance of our full responsibility for the Filipino people, of which immigration into this country is an element, but this immigration should be so regulated and administered that it will be wholesome and advantageous to the Filipinos and to ourselves. It can not be left as it is at present—to do harm to both people and ultimately to convict us of a neglected duty both to ourselves and to them.

Mr. OSIAS. Will the gentleman yield for a question?

Mr. WELCH of California. I would rather yield after I have completed my statement. If I have the time then, I will yield to the gentleman.

Mr. GARNER. Will the gentleman yield for a question?

Mr. WELCH of California. I would prefer to conclude my statement first, but I yield to the gentleman from Texas.

Mr. GARNER. I wonder if the solution of the problem the gentleman has been discussing would not be to give the Filipinos their independence and then pass proper immigration laws so as to exclude them?

Mr. WELCH of California. If it were necessary, I would say independence in preference to having them come here by the thousands as they are doing at the present time.

Mr. GARNER. The gentleman would prefer, then, to grant them independence?

Mr. WELCH of California. If it were necessary.

Mr. GARNER. What does the gentleman mean by "if it were necessary"?

Mr. WELCH of California. I would prefer for the present the means provided by the bill which I have introduced and then have it determined definitely whether the Filipinos are suited for self-government or for independence.

Regarding the legal aspects of Filipino exclusion, allow me to quote from the address of Hon. U. S. Webb, who spoke on the same occasion with Doctor Barrows. Mr. Webb has been attorney general for the State of California for nearly 30 years and has studied this problem very carefully. His statement is as follows:

Prior to 1898 the Philippine Islands belonged to Spain, and the occupants of those islands were citizens of Spain. By the treaty of Paris the islands as such became the property of the United States. By that treaty, whether it be regarded as a conquest or as a purchase, they were ceded to the United States and always, in such cases, the people who occupy ceded territory take on that new civil and political status which the purchasing government chooses to give them.

Sometimes it remains for the grantee government thereafter to provide by appropriate legislation for their status; but in this particular instance there were very few provisions in that treaty. One was that for the period of one year the occupants of the Philippine Islands had the privilege of declaring their wish or intention to remain citizens of Spain, and that established them their allegiance and their citizenship. Failing within that year to exercise that privilege, the citizens of the islands—both the Philippines and Porto Rico—became citizens of the respective islands. Now, mark you, not citizens of the United States, but citizens of the islands.

Reduced to the singular, the Filipino who failed to exercise his privilege to remain a citizen of Spain became a citizen of the Philippine Islands, subject, however, to the power of the United States, as expressed in the treaty, to provide for their political and civil status, which, it occurs to me, can only be construed properly to imply that, in so far as their political rights were to be determined, it remained for the United States, by subsequent legislation of its Congress, to determine that.

In so far as the civil rights were involved by the legislation of Congress subsequent to the enactment of the treaty, Congress would deter-

mine. But in ceasing to be citizens of Spain they did not gain a citizenship in the United States. They ceased to be citizens of any organized government. They became then the other class—subjects—and have remained until the present time subjects of the United States, entitled to such privileges, such rights, and such provisions as may be determined should be extended to them through congressional enactment.

Every citizen of the United States within the territorial limits of the United States stands alike before the law and alike under the Constitution. The Constitution presses upon each and extends its protection to each in like measure, with but slight qualifications. It is affirmed over and over again that even citizens may be grouped, may be divided into classes engaged in particular occupations or possessing certain peculiar qualifications applicable to a class, and when that line of demarcation exists the right to legislate differently for one class or group of citizens from another class or group of citizens has been affirmed to exist under the Constitution.

But those rights, sacred and inalienable, are reserved to the citizens of the United States and not to those who chance to be subjects. The Filipino through the accident of war was found on the islands and the United States assumed the responsibility for this continuance somewhere, and assumed a responsibility for the exercise, toward him of human policy, a policy recognized by international law, and assumed an obligation to take care of him in some fashion appropriate, so long as it continued to own the islands, and I say "own," and I say that deliberately and I use it in the sense of proprietorship.

The United States actually owns the Philippine Islands as proprietor, and to exercise dominion, that is the right to govern and control the islands and all things upon them because it owns them. It does not own the territories that have been incorporated into the governmental existence of the United States, in that capacity. It owns them as sovereign. But the Philippine Islands it owns as a proprietor, a property. It is because of that distinction that I believe the power to adopt legislation, independent of what may be done with citizens, though it may affect the Filipino people adversely in their own view, exists.

Mr. Chairman, ladies, and gentlemen, may I state in conclusion: The Dominion of Canada, the Dominion of New Zealand, and the Commonwealth of Australia are each a part of the British Empire. Yet each reserves the right to exclude from its boundaries all undesirable races, regardless of the fact that such excluded races are inhabitants of other parts of the British Empire.

For example, Hindu immigration to British Columbia was checked long before it could grow to the alarming degree of the present Filipino immigration to our Pacific Coast States. In 1905 the number of Hindu immigrants entering British Columbia was 45. During the three years of 1906, 1907, and 1908, it reached a total of 2,623. As India had long been a part of the British Empire, such migration from one part of the Empire to the other seemed to be perfectly in order if British citizenship was sufficiently valid. Notwithstanding this seemingly legal obstacle, Canada's attitude was that the Hindus should and could be excluded, even though they were British subjects.

As I have already mentioned, Canada did not wait until Hindu immigration grew to serious proportions. On the initiative of the parliament of British Columbia, the Canadian Government sent Hon. W. L. MacKenzie King to England to confer with the authorities of Great Britain regarding the difficult situation. Before his mission to England, Mr. King had been chosen by the Canadian Government as the commissioner to investigate oriental immigration to Canada and had made a report on the subject. The problem he laid before the British statesmen was not entirely new to them, because they had been called upon before to deal with the question of the migration of different races from one part of the Empire to the other.

It is needless to say that the demands of British Columbia were complied with. Canada's right to preserve that great Dominion as a "white man's country" has been respected by Great Britain, by her possessions, and by all other nations.

It should also be borne in mind that all this was accomplished in 1908, six years before the World War, before Canada's military contribution had made her such a powerful factor in the British Empire.

England has long ago recognized the right, not only of Canada, but of Australia and New Zealand, to protect their racial integrity by excluding nonassimilable races. In other words, the Caucasian populations of the British Empire, bordering on the Pacific Ocean, have been freed from the menace of Asiatic immigration from every source. Have not our Pacific Coast States—California, Oregon, and Washington—the right to demand the same protection from our Federal Government? [Applause.]

Mr. CANNON. Mr. Chairman, I yield five minutes to the gentleman from the Philippine Islands [Mr. OSIAS].

Mr. OSIAS. Mr. Chairman, I listened with religious attention to the words of the distinguished author of the bill (H. R. 7708) designed "to exclude certain citizens of the Philippine Islands from the United States," while the Philippine Islands are under the American flag.

I was very much pleased to note exactly the motive that animated the author of this measure and the reasons that prompted him to present this bill, which would make applicable to 13,000,000 people living under the Stars and Stripes, laws which excluded peoples from the Orient like the Japanese and the Chinese.

I recognize, Mr. Chairman, that the United States Congress has the legal power to exclude the Filipinos from the borders of the United States. I recognize, further, that this Republic, the richest, the most powerful Nation now on the face of the globe, can do whatever it pleases with the people inhabiting those distant isles which, by accident or by design, 32 years ago were placed under the protection of the United States. But I raise this point, ladies and gentlemen of Congress: Precisely because America has the physical power and legal right to do whatever it pleases with the Philippine Islands and the Philippine people, I submit that that very reason should address itself to the spirit of fairness and justice of the American people in dealing with the Filipinos, who are relatively weak and small. If we are now to be excluded, my people will naturally wonder whether we have, indeed, been placed under the protection of the United States, when American rule was implanted in the Philippines.

I have been here in this Congress for about a year, Mr. Chairman, and have noted the trend of affairs. I have been pleased beyond measure to note the spirit of generosity and the spirit of justice on every occasion I have been privileged to raise my voice in this the greatest of legislative assemblies. I feel that its membership will not approve a bill so violative of the spirit of justice.

I do not wish now to enter into a very lengthy discussion of this question. I only want to say frankly that the gentleman from California [Mr. WELCH] does not remedy the evil by his proposal to exclude the Filipinos while we continue under your flag. I say here and now to the gentleman and to the rest of the membership of this Congress that the exclusion of the Filipinos by no means remedies the situation; it only aggravates the evil.

Already the position of a dependency, Mr. Chairman, is more or less bitter, not to say humiliating. It is difficult for an American who has enjoyed freedom for so many years to realize and to appreciate what I am about to say: To be dependent is to be reduced against one's will to the level of an inferior, and ever and always in the relations between a ruling country and a dependent country the eternal question of superiority complex and inferiority complex frequently recurs. Our situation is bad enough, and exclusion would make it much worse.

The CHAIRMAN. The time of the gentleman from the Philippines has expired.

Mr. CANNON. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. OSIAS. I realize that it is perfectly normal, perfectly human, for a citizen of this Republic, for a Member of this Congress, to think of that which will protect the social integrity of the people of his country. But the gentleman from California [Mr. WELCH] is in error when he says that because of the exclusion acts of the United States toward the Chinese and the Japanese we, the people of the Philippine Islands, have been protected.

That is not the fact, Mr. Chairman. The truth is this, the Chinese have been excluded from the Philippine Islands but the Japanese have not been excluded. I want to elaborate upon this for a moment; although the Empire of Japan and the Philippine Islands have been side by side for millions of years and there was no exclusion law to deprive the Japanese from going into the Philippine Islands, by the last official census there were only 7,800 Japanese there. I mention this fact because one of the most persistent points urged against the immediate granting of independence which was categorically promised is the Japanese bugaboo. According to that same census there were about 43,000 Chinese in the Philippine Islands, and I submit the exclusion of peoples of other nations produces unnecessary disturbance of friendly relations. We desire to be independent because we want to enact our own immigration laws.

I remind the distinguished gentleman from California, who thinks that the Philippine question can be solved by the exclusion of the Filipinos from the United States, that my people will interpret that act as un-American. You will admit that

this is a very delicate question, that it goes to the heart, and I very much fear that some of my people will construe the enactment of the bill presented by the gentleman from California as tantamount to heaping insult upon injury. I do not say it is, but you can not prevent some people from thinking that.

I close by saying that the real remedy, the only remedy for the California situation, the real remedy for the labor question between the Americans and the Filipinos, the one remedy for our social and racial relations, does not consist of excluding us from the borders of the United States while we are under the American flag. I do not believe it is fair. I think it is un-American that we should be excluded while we are absolutely powerless to enact immigration laws affecting Americans going to our own country.

The remedy lies in immediately granting full and complete independence to the Philippines. [Applause.] This will be the remedy for the social question; it will be the remedy for the racial question; it will be the remedy for the economic question; it will be the remedy for our political situation. It will also be the remedy for the existing cultural anomaly which, not being eligible to American citizenship and not being free and independent, prevents us from framing a proper educational philosophy that would guide us in our cultural orientation.

A measure such as this is at best only a makeshift. It is absolutely unnecessary. What is necessary is to set us free. If we are to be treated as a foreign people for purposes of immigration, we must first be given the category of a free and independent nation. [Applause.]

Mr. SIMMONS. Mr. Chairman, I yield five minutes to the gentleman from Missouri [Mr. HOPKINS].

Mr. HOPKINS. Mr. Chairman, it is a trite but true saying that "if this Nation is to progress it must march forward on the feet of healthy and intelligent children."

No other nation in the world is giving more earnest consideration to the welfare of its boys and girls than is ours. In his address to the Boy Scout leaders of America President Hoover stated:

Together with his sister the boy is the most precious possession of the American home. I sometimes think that one of the sad things of life is that they will grow up. Literature and lore have established our boys in varied relations to life; as a growing animal of superlative promise, to be fed and watered and kept warm; as a periodic nuisance; as a joy forever; as the incarnation of destruction; as the father of the man; as the child of iniquity; as the problem of our times and the hope of the Nation.

In any event he is a complex of cells, teeming with affection, filled with curiosity for every mortal thing, radiating sunlight to all the world; endowed with dynamic energy and the impelling desire to take exercise on all occasions. He is a perpetual problem to his parents; and the wisdom in his upbringing consists more often in the determination of what to do with him next rather than in what he shall do when he gets out into the cold world.

Four million Boy Scouts are now celebrating the twentieth anniversary of "scoutdom" in America. With its call to the out-of-door life, nature study, health and character building habits, freedom from a pernicious environment, and the daily challenge to do a "good turn," this organization has provided for the energetic and red-blooded boy a constructive and pleasant outlet for his activity. The growth of this organization has been great during the past 20 years, yet the field of possibilities is but barely opened.

It was my privilege nearly 20 years ago to be one of the first boy scouts in St. Joseph. Likewise, it has also been my pleasure to be a member of the executive board of the St. Joseph area. As a result of these experiences, along with my experience as a public-school official, I am convinced that, as far as the boys are concerned, there is no single movement sponsored by any organization that has had the wholesome effect on youth as has "scouting." I have great faith in the future of the men of this country as long as "scouting" continues to extend its influence.

There has also grown up in this great country some wonderful organizations for the girls. The same tireless efforts that made "scouting" a success are being directed along the lines of perfecting organizations for girls of the same age.

Every Member of this House could well afford to adopt the principles enunciated and practiced by these organizations of our girls and boys, namely, "Service to and cooperation with the whole group." [Applause.]

Mr. SIMMONS. Mr. Chairman, I have no further requests for time on this side. I ask the gentleman from Missouri [Mr. CANNON] whether we may have an understanding that when this bill is taken up again on Thursday next general debate shall be limited to remarks on the bill?

Mr. CANNON. I have applications for additional time, but the gentlemen are not here. I understand the gentleman wishes to enter into agreement that debate will be limited to the bill?

Mr. SIMMONS. Neither side will yield time except to Members who will discuss the bill?

Mr. CANNON. That will be satisfactory.

Mr. SIMMONS. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. LA GUARDIA, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 10813, the District of Columbia appropriation bill, and had come to no resolution thereon.

#### LEAVE OF ABSENCE

By unanimous consent, at the request of Mr. ESLICK, leave of absence was granted to Mr. McREYNOLDS, on account of the death of his mother.

#### ORDER OF BUSINESS—CONSIDERATION OF THE TARIFF BILL

Mr. GARNER. Mr. Speaker, so that the RECORD may show it and thus avoid many inquiries by colleagues on this side of the House who are interested in knowing, I ask the gentleman from New York [Mr. SNELL] at what time we are to consider the tariff bill and the sending of it to conference?

Mr. SNELL. Mr. Speaker, the gentleman from Texas has expressed himself many times to the effect that we should give fair and considerate attention to the 1,250 amendments that the Senate has added to the bill. The bill just came over from the Senate to-day. It is our wish to give the Members two or three days to digest the amendments and find out just what they are. I think we will probably be ready to consider the bill some time the first of next week.

Mr. GARNER. Then may I send out notices to the membership on this side of the House that the tariff bill will be taken up on Monday or Tuesday of next week for disposition?

Mr. SNELL. As near as I can tell, that will be the proper time.

#### BILLS PRESENTED TO THE PRESIDENT

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 8705. An act granting the consent of Congress to the State of Illinois to construct, maintain, and operate a bridge across the Rock River at or near Prophetstown, Ill.;

H. R. 8706. An act to legalize a bridge across the Pecatonica River at Freeport, Ill.;

H. R. 8970. An act granting the consent of Congress to the State of Illinois to construct a bridge across the Little Calumet River on Ashland Avenue near One hundred and thirty-fourth Street in Cook County, State of Illinois;

H. R. 8971. An act granting the consent of Congress to the State of Illinois to widen, maintain, and operate the existing bridge across the Little Calumet River on Halsted Street near One hundred and forty-fifth Street in Cook County, State of Illinois;

H. R. 8972. An act granting the consent of Congress to the State of Illinois to construct a bridge across the Little Calumet River on Ashland Avenue near One hundred and fortieth Street in Cook County, State of Illinois; and

H. R. 9979. An act making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1930, and prior fiscal years, to provide urgent supplemental appropriations for the fiscal years ending June 30, 1930, and June 30, 1931, and for other purposes.

#### ADJOURNMENT

Mr. SIMMONS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 38 minutes p. m.) the House adjourned to meet to-morrow, Wednesday, March 26, 1930, at 12 o'clock noon.

#### COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Wednesday, March 26, 1930, as reported to the floor leader by clerks of the several committees:

#### COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

Legislative appropriation bill.

#### COMMITTEE ON ROADS

(10 a. m.)

To amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented and for other purposes (H. R. 10379, H. R. 9304, H. R. 7596, and H. R. 1416).

#### COMMITTEE ON AGRICULTURE

(10 a. m.)

To authorize the Secretary of Agriculture to establish grades and an inspection service for canned foods in order to facilitate commerce therein, and to enable the consumers to purchase canned goods on the basis of quality, thereby lending encouragement to the producers of quality farm products (H. R. 3921).

#### COMMITTEE ON MILITARY AFFAIRS

(10 a. m.)

To consider proposals concerning legislation on Muscle Shoals.

#### COMMITTEE ON THE JUDICIARY

(10 a. m.)

Proposing an amendment to the Constitution of the United States (H. J. Res. 114, H. J. Res. 11, H. J. Res. 38).

Proposing an amendment to the eighteenth amendment of the Constitution (H. J. Res. 99).

Proposing an amendment to the Constitution of the United States providing for a referendum on the eighteenth amendment thereof (H. J. Res. 219).

Proposing an amendment to the eighteenth amendment of the Constitution of the United States (H. J. Res. 246).

#### COMMITTEE ON BANKING AND CURRENCY

(10.30 a. m.)

To consider branch, chain, and group banking as provided in House Resolution 141.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII.

Mr. DICKSTEIN: Committee on Immigration and Naturalization. H. R. 5646. A bill to exempt from the quota husbands, fathers, and mothers of American citizens; with amendment (Rept. No. 976). Referred to the House Calendar.

Mr. JOHNSON of Indiana: Committee on Interstate and Foreign Commerce. H. R. 10213. A bill granting the consent of Congress to rebuild and reconstruct and to maintain and operate the existing railroad bridge across the Cumberland River, near the town of Burnside, in the State of Kentucky; without amendment (Rept. No. 979). Referred to the House Calendar.

Mr. COOPER of Ohio: Committee on Interstate and Foreign Commerce. H. R. 10248. A bill to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Moundsville, W. Va.; without amendment (Rept. No. 980). Referred to the House Calendar.

Mr. JOHNSON of Indiana: Committee on Interstate and Foreign Commerce. H. R. 10258. A bill to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Cannelton, Ind.; without amendment (Rept. No. 981). Referred to the House Calendar.

Mr. HUDDLESTON: Committee on Interstate and Foreign Commerce. H. R. 10291. A bill authorizing the State Highway Board of Georgia, in cooperation with the State Highway Department of South Carolina, the city of Augusta, and Richmond County, Ga., to construct, maintain, and operate a free highway bridge across the Savannah River at or near Fifth Street, Augusta, Ga.; with amendment (Rept. No. 982). Referred to the House Calendar.

Mr. PARKS: Committee on Interstate and Foreign Commerce. H. R. 10340. A bill granting the consent of Congress to the Arkansas State Highway Commission to construct, maintain, and operate a free highway bridge across the White River at or near Calico Rock, Ark.; without amendment (Rept. No. 983). Referred to the House Calendar.

Mr. HUDDLESTON: Committee on Interstate and Foreign Commerce. H. R. 10461. A bill authorizing Royce Kershaw, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Coosa River at or near Gilberts Ferry, about 8 miles southwest of Gadsden, in Etowah County, Ala.; with amendment (Rept. No. 984). Referred to the House Calendar.

Mr. PARKS: Committee on Interstate and Foreign Commerce. H. R. 10474. A bill granting the consent of Congress to the Arkansas State Highway Commission to construct, maintain, and operate a free highway bridge across the White River at

or near Sylamore, Ark.; without amendment (Rept. No. 985). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 10526. A bill to extend the times for commencing and completing the construction of certain bridges in the State of Tennessee; with amendment (Rept. No. 986). Referred to the House Calendar.

Mr. COOPER of Ohio: Committee on Interstate and Foreign Commerce. H. R. 10651. A bill to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Wellsburg, W. Va.; with amendment (Rept. No. 987). Referred to the House Calendar.

Mr. BECK: Committee on Interstate and Foreign Commerce. S. 3135. An act granting the consent of Congress to Helena S. Raskob to construct a dam across Robins Cove, a tributary of Chester River, Queen Annes County, Md.; without amendment (Rept. No. 988). Referred to the House Calendar.

Mr. RAYBURN: Committee on Interstate and Foreign Commerce. S. 3621. An act granting a right of way across the land of the United States for bridge purposes over the Louisiana and Texas Intracoastal Waterway; with amendment (Rept. No. 989). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. S. 3745. An act to extend the times for commencing and completing the construction of a bridge across the Cumberland River at or near Smithland, Ky.; without amendment (Rept. No. 990). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. S. 3747. An act to extend the times for commencing and completing the construction of a bridge across the Tennessee River at or near the mouth of Clarks River; without amendment (Rept. No. 991). Referred to the House Calendar.

Mr. BURTNESS: Committee on Interstate and Foreign Commerce. H. R. 3141. A bill to amend paragraph (11) of section 20 of the interstate commerce act, as amended; without amendment (Rept. No. 992). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 4293. A bill to provide for a ferry and a highway near the Pacific entrance of the Panama Canal; without amendment (Rept. No. 993). Referred to the Committee of the Whole House on the state of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. JOHNSTON of Missouri: Committee of Claims. H. R. 2469. A bill for the relief of Walter E. Switzer; with amendment (Rept. No. 977). Referred to the Committee of the Whole House.

Mr. FITZGERALD: Committee on Claims. H. R. 2692. A bill for the relief of Francis J. McDonald; with amendment (Rept. No. 978). Referred to the Committee of the Whole House.

Mr. BURDICK: Committee on Naval Affairs: H. R. 1892. A bill for the relief of Henry Manske, jr.; without amendment (Rept. No. 994). Referred to the Committee of the Whole House.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. EDWARDS: A bill (H. R. 11093) authorizing an appropriation of \$50,000 with which to procure and plant seed oysters on south Atlantic coast, and particularly along the coast of Georgia and South Carolina, where fresh water from floods and streams have depleted the supply; to the Committee on the Merchant Marine and Fisheries.

By Mr. ELLIOTT: A bill (H. R. 11094) to authorize the extension of the natural history building of the United States National Museum; to the Committee on Public Buildings and Grounds.

By Mr. ELLIS: A bill (H. R. 11095) to provide for the commemoration of the battle of Westport, Mo.; to the Committee on Military Affairs.

By Mr. KELLY: A bill (H. R. 11096) to provide a postage charge for directory service; to the Committee on the Post Office and Post Roads.

By Mr. HAUGEN: A bill (H. R. 11097) to authorize the Secretary of Agriculture to establish uniform standards for the market classification and grading of livestock and livestock products, to maintain standard grading services therefor, and for other purposes; to the Committee on Agriculture.

By Mr. PURNELL: A bill (H. R. 11098) to enable the Secretary of Agriculture to investigate, control, and eradicate avian

tuberculosis, and for other purposes, and authorizing an appropriation therefor; to the Committee on Agriculture.

By Mr. ZIHLMAN: A bill (H. R. 11099) to regulate the erection, hanging, placing, painting, display, and maintenance of outdoor signs and other forms of exterior advertising within the District of Columbia; to the Committee on the District of Columbia.

Also, a bill (H. R. 11100) to amend section 670 of the Code of Law of the District of Columbia relating to cemetery associations by adding an additional paragraph thereto; to the Committee on the District of Columbia.

By Mr. JAMES (by request of the War Department): A bill (H. R. 11101) to amend the act of May 29, 1928, pertaining to certain War Department contracts by repealing the expiration date of that act; to the Committee on Military Affairs.

Also (by request of the War Department), a bill (H. R. 11102) to authorize the Secretary of War to acquire the timber rights on Gigning Field Artillery Target Range in California; to the Committee on Military Affairs.

By Mr. McSWAIN: A bill (H. R. 11103) to promote the efficiency of the Medical Corps of the United States Army; to the Committee on Military Affairs.

By Mr. PORTER: A bill (H. R. 11104) to provide living quarters, including heat, fuel, and light, for civilian officers and employees of the Government stationed in foreign countries; to the Committee on Foreign Affairs.

By Mr. O'CONNOR of Louisiana: A bill (H. R. 11105) to provide for the erection of a suitable memorial to the memory of James B. Eads at New Orleans, La.; to the Committee on the Library.

By Mr. CLAGUE: A resolution (H. Res. 192) requesting the Secretary of the Treasury to furnish to the House of Representatives copies of documents relative to taxable years 1922 to 1928; to the Committee on Rules.

By Mr. FISH: A resolution (H. Res. 193) extending congratulations to the Republic of Greece on the one hundredth anniversary of the independence of that nation; to the Committee on Foreign Affairs.

By Mr. TEMPLE: Joint resolution (H. J. Res. 280) to authorize participation by the United States in the Interparliamentary Union; to the Committee on Foreign Affairs.

#### MEMORIALS

Under clause 3 of Rule XXII, memorials were presented and referred as follows:

By Mr. EATON of New Jersey: Memorial of the House of Assembly of the State of New Jersey, protesting against deplorable condition in Soviet Russia; to the Committee on Foreign Affairs.

By Mr. SEGER: Memorial of the House of Assembly of the State of New Jersey, protesting against religious persecutions in Soviet Russia; to the Committee on Foreign Affairs.

By Mr. HOFFMAN: Memorial of the House of Assembly of the State of New Jersey, protesting against cruel, deliberate, and unrelenting suppression of the teaching and practice of all religion by the soviet government and the persecution of those who are devoted to their sacred traditions; to the Committee on Foreign Affairs.

By Mr. WOLVERTON of New Jersey: Memorial of the House of Assembly of the State of New Jersey, protesting against soviet religious persecution in Russia; to the Committee on Foreign Affairs.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ARNOLD: A bill (H. R. 11106) granting an increase of pension to Louise Grasshoff; to the Committee on Invalid Pensions.

By Mr. AYRES: A bill (H. R. 11107) to enroll John Benjamin King on the final roll of citizens of the Choctaw Tribe of Indians by blood; to the Committee on Indian Affairs.

By Mr. BACHMANN: A bill (H. R. 11108) granting an increase of pension to Elizabeth E. Goddard; to the Committee on Invalid Pensions.

By Mr. BAIRD: A bill (H. R. 11109) granting an increase of pension to Elizabeth Pockmier; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11110) granting a pension to Rosa Webb; to the Committee on Invalid Pensions.

By Mr. BOLTON: A bill (H. R. 11111) granting a pension to Loisa Blasis; to the Committee on Pensions.

By Mr. CHRISTGAU: A bill (H. R. 11112) for the relief of William R. Nolan; to the Committee on Claims.

By Mr. COOPER of Wisconsin: A bill (H. R. 11113) for the relief of the widows and wife of certain Foreign Service officers; to the Committee on Foreign Affairs.

By Mrs. McCORMICK of Illinois: A bill (H. R. 11114) granting a pension to Amanda H. Fairbank; to the Committee on Invalid Pensions.

By Mr. GOLDSBOROUGH: A bill (H. R. 11115) authorizing and directing the Secretary of War to cause to be made a preliminary examination and survey of Honga River and Tar Bay (Barren Island Gaps), in Maryland; to the Committee on Rivers and Harbors.

By Mr. GRIFFIN: A bill (H. R. 11116) for the relief of Sidney Silverman; to the Committee on Military Affairs.

By Mr. HARDY: A bill (H. R. 11117) granting an increase of pension to Lottie T. Miller; to the Committee on Pensions.

By Mr. JOHNSON of Illinois: A bill (H. R. 11118) granting an increase of pension to Henrietta Denton; to the Committee on Invalid Pensions.

By Mr. KELLY: A bill (H. R. 11119) granting a pension to Blanche Gertrude Powers; to the Committee on Invalid Pensions.

By Mr. KIESS: A bill (H. R. 11120) granting an increase of pension to Ellen T. Pursel; to the Committee on Invalid Pensions.

By Mr. LANKFORD of Virginia: A bill (H. R. 11121) for the relief of the James River Bridge Corporation; to the Committee on the Judiciary.

By Mr. LONGWORTH: A bill (H. R. 11122) granting an increase of pension to Christina Stenger; to the Committee on Pensions.

Also, a bill (H. R. 11123) granting an increase of pension to William H. Sticksell; to the Committee on Pensions.

By Mr. LOZIER: A bill (H. R. 11124) granting a pension to Nancy J. Perrin; to the Committee on Invalid Pensions.

By Mr. MOORE of Kentucky: A bill (H. R. 11125) granting a pension to Henry Innis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11126) granting a pension to Matthew J. McKelvey; to the Committee on Pensions.

By Mr. O'CONNOR of Louisiana: A bill (H. R. 11127) granting a pension to Amelia W. Ziegel; to the Committee on Invalid Pensions.

By Mr. PORTER: A bill (H. R. 11128) granting an increase of pension to Martha E. Lucas; to the Committee on Invalid Pensions.

By Mr. REED of New York: A bill (H. R. 11129) granting an increase of pension to Elmina Crandall; to the Committee on Invalid Pensions.

By Mr. ROWBOTTOM: A bill (H. R. 11130) authorizing the President to appoint Ronald E. Smith a second lieutenant, Infantry, in the United States Organized Reserve Corps; to the Committee on Military Affairs.

By Mr. SWICK: A bill (H. R. 11131) granting an increase of pension to Sarah J. Zerner; to the Committee on Invalid Pensions.

By Mr. WURZBACH: A bill (H. R. 11132) for the relief of Edward Knight; to the Committee on Military Affairs.

By Mr. COLLIER: Joint resolution (H. J. Res. 281) renewing and extending patent No. 601905 in favor of Walter L. Johnson and certain other persons; to the Committee on Patents.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6024. By Mr. BLOOM: Petition of citizens of Washington, D. C., opposing the calling of an international conference by the President of the United States, or the acceptance by him of an invitation to participate in such a conference, for the purpose of revising the present calendar unless a proviso be attached thereto definitely guaranteeing the preservation of the continuity of the weekly cycle without the insertion of the blank days; to the Committee on Foreign Affairs.

6025. By Mr. BOLTON: Petition of citizens of Euclid, Ohio, urging favorable action on bills increasing Spanish War pensions; to the Committee on Pensions.

6026. Also, petition of citizens of Cleveland, Ohio, urging favorable action on legislation increasing the pensions of Spanish War veterans; to the Committee on Pensions.

6027. By Mr. BRIGHAM: Petition of city council of Burlington, Vt., relative to legislation granting pensions to certain soldiers, sailors, and nurses of the war with Spain, the Philippine insurrection, and the China relief expedition; to the Committee on Pensions.

6028. Also, petition of the common council of the city of Rutland, Vt., relative to proclaiming October 11 of each year as

General Pulaski's memorial day; to the Committee on the Judiciary.

6029. By Mr. COLLIER: Memorial of the common council of the city of Vicksburg, State of Mississippi, memorializing Congress of the United States to enact House Joint Resolution 167 directing President of the United States to proclaim October 11 of each year as General Pulaski's memorial day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

6030. By Mr. CONNERY: Petition of Independent Order Brith Abraham of Boston, Mass., protesting against registration of aliens; to the Committee on Immigration and Naturalization.

6031. By Mr. CRAIL: Petition of many citizens of California, favoring the passage of the Box bill restricting Mexican immigration; to the Committee on Immigration and Naturalization.

6032. Also, petition of many citizens of Los Angeles County, Calif., favoring more liberal pensions for Spanish War veterans; to the Committee on Pensions.

6033. By Mr. EATON of New Jersey: Petition of 71 citizens of Trenton, N. J., favoring increased pensions for Spanish War veterans; to the Committee on Pensions.

6034. Also, resolution of Fairview Council, No. 248, Junior Order United American Mechanics, Mount Bethel, N. J., urging restriction of immigration to countries of the Western Hemisphere; to the Committee on Immigration and Naturalization.

6035. By Mr. FITZGERALD: Petition of Butler Aerie, No. 407, Fraternal Order of Eagles, at Hamilton, Ohio, with a membership of 2,837, indorsing Senate bill 3257; to the Committee on Pensions.

6036. By Mr. GARBER of Oklahoma: Petition of Federation of Citizens' Associations of the District of Columbia, opposing item on District of Columbia appropriation bill for 1931 providing for \$300,000 expenditure for farmers' wholesale produce market in southwest Washington; to the Committee on Appropriations.

6037. Also, petition of governing board, conference of committees of the International Narcotic Education Association and the World Conference on Narcotic Education, urging cooperation in extension of narcotic surveys throughout the United States with a view to the establishment of a permanent national narcotic survey; to the Committee on the Judiciary.

6038. Also, petition of State Nurses' Association, Oklahoma City, Okla., urging the passage of House bill 1195; to the Committee on Interstate and Foreign Commerce.

6039. Also, petition of Department of Oklahoma Woman's Relief Corps, auxiliary to the Grand Army of the Republic, urging support of House bill 8765, introduced by Mr. STOWES; to the Committee on Invalid Pensions.

6040. Also, petition of Oklahoma City Chamber of Commerce, urging that Guthrie, Okla., be selected as location for institution to be established in connection with Senate bill 2557; to the Committee on the Judiciary.

6041. Also, petition of three ex-United States deputy marshals, W. T. Taylor, A. J. Trail, and G. W. Cochran, of Claremore, Okla., urging favorable consideration of House bill 2968, introduced by Hon. CHARLES O'CONNOR of Oklahoma; to the Committee on the Judiciary.

6042. Also, petition of Associated Industries of Oklahoma, Oklahoma City, Okla., in opposition to old age pension law; to the Committee on Pensions.

6043. Also, petition of Hon. Henry S. Johnston, Perry, Okla., making protest against pending legislation which would outlaw the use of peyote by the Indians for ceremonial purposes; to the Committee on Indian Affairs.

6044. Also, petition of State Board of Agriculture, Oklahoma City, Okla., urging heavy tariff on oils; to the Committee on Ways and Means.

6045. Also, petition of Lamont City School, Lamont, Okla., indorsing House bill 10 urging the establishment of a national department of public education with a secretary in the President's Cabinet; to the Committee on Education.

6046. By Mr. HADLEY: Petition of Earl Faulkner Post, No. 6, American Legion, of Everett, Wash., urging that legislation be enacted to amend the World War compensation act providing for the immediate payment of the full amount due as adjusted compensation to those entitled to same; to the Committee on Ways and Means.

6047. By Mr. JAMES: Petition of citizens of Calumet, Mich., asking favorable action on Senate bill 476 and House bill 2562 for increase of pension to the men who served during the Spanish-American War; to the Committee on Pensions.

6048. By Mr. JOHNSON of Illinois: Petition signed by a number of citizens of Dixon, Ill., urging Congress to pass a Civil War pension bill; to the Committee on Invalid Pensions.

6049. By Mr. KOPP: Petition of Charles B. Gilworth and 70 other citizens of Fairfield, Iowa, urging increased pensions for Spanish War veterans; to the Committee on Pensions.

6050. By Mr. LUDLOW: Petition of citizens of Indianapolis, Ind., for increased pensions for veterans of the Spanish-American War; to the Committee on Pensions.

6051. By Mr. McKEOWN: Petition of Jeff Cunningham, of route 2, Prague, Okla., and other citizens of Lincoln County, Okla., urging immediate action on House bill 2562 providing increased rates of pension for veterans of the Spanish War period; to the Committee on Pensions.

6052. By Mr. MANLOVE: Petition of 20 members of the Woman's Christian Temperance Union assembled in session at Carterville, Mo., March 11, 1930, urging the speedy enactment of certain radio legislation; to the Committee on the Merchant Marine and Fisheries.

6053. By Mr. PARKS: Petition of citizens of Arkadelphia, Clark County, Ark., urging the passage of House bill 11, known as the fair trade bill; to the Committee on Interstate and Foreign Commerce.

6054. By Mr. PRALL: Petition received from citizens of Staten Island, N. Y., favoring the enactment of the Capper-Robson bill; to the Committee on Education.

6055. By Mr. ROMJUE: Petition of citizens of Knox County, Mo., asking for the passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

6056. By Mr. SANDLIN: Petition of some of the citizens of Shreveport, La., indorsing House bill 2562 and Senate bill 476; to the Committee on Pensions.

6057. By Mr. SWICK: Petition of mayor and City Council of Aliquippa, Beaver County, Pa., urging the enactment of House Joint Resolution 167, directing the President to proclaim October 11 of each year as General Pulaski's memorial day, for the observation and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

6058. By Mr. WOLVERTON of West Virginia: Petition of Fred E. Thompson, editor of the Doddridge County Republican, of West Union, W. Va., urging Congress to enact legislation that will check the influx of certain types of Mexican people, or at least place Mexican immigrants of this type on a par with immigrants from European countries; to the Committee on Immigration and Naturalization.

6059. By Mr. WURZBACH: Petition of Ambrose E. McPherson and 24 other citizens of Corpus Christi, Nueces County, Tex., urging speedy consideration and passage of House bill 2562 and Senate bill 476; to the Committee on Pensions.

6060. Also, petition of Parke Heaton, Maurice Kelly, W. M. Higgins, and 168 other citizens of San Antonio, Bexar County, Tex., urging speedy consideration and passage of House bill 2562 and Senate bill 476; to the Committee on Pensions.

6061. Also, petition of C. L. Patterson and 15 other citizens of Wilson County, Tex., urging speedy consideration and passage of House bill 2562 and Senate bill 476; to the Committee on Pensions.

6062. Also, petition of C. Jackson and 16 other citizens of Aransas Pass, San Patricio County, Tex., urging speedy consideration and passage of House bill 2562 and Senate bill 476; to the Committee on Pensions.

6063. Also, petition of William P. Coulter and 35 other citizens urging speedy consideration and passage of House bill 8976; to the Committee on Pensions.

6064. Also, petition of William H. Kelly and 408 other citizens of San Antonio, Bexar County, Tex., urging speedy consideration and passage of House bill 8976; to the Committee on Pensions.

6065. Also, petition of Robert E. Carlisle, B. McCluer, and 35 other citizens of San Antonio, Bexar County, Tex., urging speedy consideration and passage of House bill 2562 and Senate bill 476; to the Committee on Pensions.

## HOUSE OF REPRESENTATIVES

WEDNESDAY, *March 26, 1930*

The House met at 12 o'clock noon and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

In the parting of the curtains of the night, Heavenly Father, and in the dawning of this day, Thou hast revealed Thyself anew. We seek Thy guidance. O give us this blessing. We do not pray for ease and rest but for powers equal to our tasks. Let not our failure dishearten us or any cause of delay chill us. We ask for Thy presence and for unutterable thoughts to rise within us. For life and love and for light, we thank Thee,

gracious Lord, and for all the great world with its infinitely many sources of truth and hope. Thou wilt never leave us, but will go with us all the way. May we scatter our flowers as we go, for we will never pass this way again. In the holy name of Jesus we pray. Amen.

The Journal of the proceedings of yesterday was read and approved.

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 3657. An act to quiet title and possession with respect to certain lands in Custer County, Nebr.

The message also announced that the Senate had passed with amendments, in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 6120. An act to amend the act entitled "An act to provide for the construction of certain public buildings, and for other purposes," approved May 25, 1926 (44 Stat. 630); the act entitled "An act to amend section 5 of the act entitled 'An act to provide for the construction of certain public buildings, and for other purposes,' approved May 25, 1926," dated February 24, 1928 (45 Stat. 137); and the act entitled "An act authorizing the Secretary of the Treasury to acquire certain lands within the District of Columbia to be used as space for public buildings," approved January 13, 1928 (45 Stat. 51); and

H. R. 7491. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1931, and for other purposes.

The message also announced that the Senate had passed bills and joint resolutions of the following titles, in which the concurrence of the House is requested:

S. 3189. An act for the relief of the State of South Carolina for damage to and destruction of roads and bridges by floods in 1929;

S. 3487. An act to provide for the acceptance of a donation of land and the construction thereon of suitable buildings and appurtenances for the Forest Products Laboratory, and for other purposes;

S. J. Res. 93. Joint resolution to provide for a monument to Maj. Gen. William Crawford Gorgas, late Surgeon General of the United States Army; and

S. J. Res. 135. Joint resolution authorizing and requesting the President to extend to foreign governments and individuals an invitation to join the Government and people of the United States in the observance of the one hundred and fiftieth anniversary of the surrender of Lord Cornwallis at Yorktown, Va.

### CALENDAR WEDNESDAY

The SPEAKER. This is Calendar Wednesday. The Clerk will call the list of committees.

The Clerk proceeded to call the committees; and when the Committee on Interstate and Foreign Commerce was reached—Mr. PARKER. Mr. Speaker, I call up the bill H. R. 8807.

The SPEAKER. The Clerk will report it.

### COORDINATION OF PUBLIC-HEALTH ACTIVITIES

The Clerk read as follows:

A bill (H. R. 8807) to provide for the coordination of the public-health activities of the Government, and for other purposes.

The SPEAKER. The bill is on the Union Calendar. The House will go automatically into Committee of the Whole House on the state of the Union unless unanimous consent is given. Under the rule the House resolves itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 8807. The gentleman from Massachusetts [Mr. LUCE] will please take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 8807, with Mr. LUCE in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 8807, which the Clerk will report by title.

The title was again read.

Mr. PARKER. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. DYER. Mr. Chairman, I will not object. Do I understand that the gentleman from Michigan [Mr. MAPES] is going to make a speech on the bill?

Mr. PARKER. Yes.

The CHAIRMAN. Is there objection?  
There was no objection.